Cases Reported this Week.

In the Solicitors' Journal.

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Contents.

CURRENT TOPICS.

TOGETHER WITH the order for transfer to Mr. Justice KEKEWICH of thirty actions, we are able to give a list of the same actions in the order in which they appear in the cause-book.

ON TUESDAY, the 2nd of July, Mr. Justice NORTH will commence his fortnight of hearing witness actions, and will take them each day until the 13th of the same month, with the exception of Monday, the 8th. On Thursdays and Saturdays during that fortnight the motions and unopposed petitions of Mr. Justice NORTH will be heard by Mr. Justice CHITTY on Thursdays and Saturdays.

IT HAS been arranged that Mr. Justice STIRLING shall commence his fortnight of hearing witness actions on the 8th of July, continuing until the 20th of July, excepting Monday, the 15th, when his lordship sits in chambers. During this fortnight the motions and unopposed petitions of Mr. Justice STIRLING will be heard by Mr. Justice KEKEWICH on Thursdays and Saturdays.

IT IS USELESS to speculate on the legal appointments which will probably be announced before these lines reach our readers, but on Thursday no doubt was entertained that Lord HALSBURY would be the new Lord Chancellor. With all respect for his ability, we confess we regard with some apprehension his fancy for rule-making and officialism and radical change. The best thing that could happen would be to have a Chancellor who, like a well-known statesman, was in the habit of asking, "Cannot you let it alone?"

THE POLITICAL crisis has caused an intermission of the sittings of the Select Committee on the Land Transfer Bill, and although no doubt a desperate effort will be made to pass a resolution or make a report before the dissolution, it seems doubtful whether this can be done. The straits to which the promoters of the Bill have been driven by the strength of the evidence against it, are sufficiently shewn by their latest device. That highly skilled and experienced authority on land transfer, the London County Council, has been induced to intervene. Did not that potent body ordain that the Law Officers of the Crown should not take private practice, and was not its decree forthwith carried into effect? Why should not an edict issued in favour of compulsory registration be similarly successful? With evidence before them that the great heart of London is panting for compulsory registration of title, how could the Select Committee hesitate to report in favour of it? Accordingly, somehow or other, the Parliamentary Committee of the London County Council suddenly became persuaded that "the system [proposed by the Bill] would tend to reduce enormously the conveyancing costs of transfer," and asked the Council to express its approval of the Bill and to authorize them to "support it in Committee." And although it was pointed out that the Bill had not been circulated among the members of the Council, and they knew nothing whatever about its provisions, the recommendation of the committee was adopted.

A step towards furnishing business for the new Commercial Court was taken by the Court of Appeal on Wednesday in the case of *Baerlein* v. *The Chartered Mercantile Bank*. That action had been set down in the Chancery Division, and Mr. Justice Kekewich had declined to order it to be transferred to the Queen's Bench Division for the purpose of being tried in the Commercial Court. The Court of Appeal ordered the transfer to be made, on the ground that, as it related to complicated mercantile transactions, it was one which ought to go to the Commercial Court. "If the case," said Lord Justice Lindley, "came on upon a summons for directions before a judge who was thoroughly versed in such matters, he might be able to shorten the trial materially, and to save expense." But the learned Lord Justice was careful to explain that he did not mean to say that every commercial case ought to be transferred from the Chancery Division; it must depend on the special circumstances of each case whether this course should be adopted. As we pointed out some time ago, and as Lord Justice Lindley took occasion to say, the judge of the Commercial Court has no power to do anything which another judge could not do. The question arises, therefore, whether, in commercial cases set down in the Chancery Division, the procedure of the Commercial Court might not be adopted by the learned judges of that Division. We should rather like to see the experiment tried.

There was more than usually lively oratory at the dinner of the Solicitors' Benevolent Association last week. Lord Justice A. L. Smith was very diverting in his description of the profound dulness and monotony of the life of a judge. One has really never before understood how much these eminent personages are to be pitied. As the Lord Justice pathetically pointed out, every working day the judge is "put into a bandbox, with ushers and so on round him, and he is allowed to say nothing unless it is pertinent to the case, and as to what is going on in the world around him, he knows absolutely nothing." At four o'clock he is turned out, and, if he wants to stay for an hour to look at some papers, in comes the sweeper of the Royal Courts and tells him to begone. The only persons he meets are her Majesty's Judges; and—we grieve to record the observation—the learned Lord Justice intimated that "one could see too much even of a judge." Passing from this amusing topic, he proceeded to consider the cause of the slackness of business in the Queen's Bench Division. Lord Herschell, it will be remembered, recently gave as the reasons for it, the depression of trade and also the disappearance of arrears and the facilities for speedy trial of actions, which deter litigants with hopeless cases. Lord Justice A. L. Smith said that the real reason was the poverty of the nation, combined with what he called "the infamous rule of taxation of party and party costs." The great point, he said, for the Common Law Division was to get rid of that rule. As we stated some time ago, Lord Herschell, in the course of the hearing of a Scotch appeal in the House of Lords, took occasion to remark that the more often costs were given as between agent and client—that is, in this country, as between solicitor and client—the more satisfactory the law appeared to him to be. There is no doubt that party and party costs are a blot on our system, and there seems to be no reason why the resolution of the Council of Judges in 1892 that "the costs allowed in litigious matters shall be all those which have been reasonably incurred by the client," should not be carried into effect.

An advertising agent was recently summoned at the Thames Police Court under section 3 of the Uniforms Act, 1894, for unlawfully employing five men to wear military uniforms in such a manner as to be likely to bring contempt on Her Majesty's uniform. It was stated that this prosecution was the first that had taken place in London under the Act, which came into force in January of this year. The defendant, who pleaded guilty to the charge, had sent into the street five men clad in military tunics and white helmets, presumably for advertising purposes. In mitigation of punishment he urged that he had been under the impression that having removed the shoulder straps from the tunics and the plates from the helmets, the use of the uniforms for the purposes of advertisement was not unlawful. The language of the Act is however perfectly clear. By section 3, "if any person, not serving in the naval or military forces, wears without permission, or employs any other person to wear, the uniform of any of those forces, or any dress having the appearance or bearing any of the regimental or other distinctive marks of such uniform, in such a manner or under such circumstances as to be likely to bring contempt upon that uniform, he shall be liable to a fine not exceeding £10 or to one month's imprisonment." By section 2 the mere wearing of a military uniform by an unauthorized person is made unlawful. In the present case the magistrate took into consideration the defendant's plea of ignorance and imposed a fine of £1 only, but it is satisfactory to observe that an Act, passed with the praiseworthy object of preventing the degradation of Her Majesty's uniform, has not been allowed to become a dead letter.

Before the Judicature Acts there was a curious difference in the practice of the common law courts and the Court of Chancery as to taxation of the costs of a successful pauper plaintiff. At one time it was the practice of the common law courts to allow the pauper the fees he had paid to his counsel and attorney—in other words, to tax his costs as "dives" costs—but this was put a stop to by *Dooley* v. *Great Northern Railway Co.* (4 E. & B. 341), where it was held that the practice was contrary to the provisions of 11 Hen. 7, c. 12. By that statute counsel and attorneys assigned to a pauper were to give their services gratuitously, and the Court of Queen's Bench (Lord Campbell, C.J., and Wightman and Erle, JJ.) held that, since the pauper was under no liability to pay fees, he could not recover them against the defendant. In the Court of Chancery the practice was the same as the old common law practice, and, so far from being reversed by modern judges, it was expressly countenanced. In *Rubery* v. *Morris* (1 Mac. & G. 413) Lord Cottenham, C., justified it on the ground that, if the rule were otherwise, an unsuccessful defendant would gain by reason of the plaintiff being allowed to sue *in formâ pauperis*. The present practice depends on rules 27 and 31 of R. S. C., 1883, ord. 16, and was settled by the decision of the Court of Appeal in *Carson* v. *Pickersgill & Sons* (14 Q. B. D. 859). Rule 27 precludes any person from taking a fee from a pauper litigant, and rule 31 directs his costs to be taxed as in other cases. The Court of Appeal held that this entitled the pauper only to such costs as he was liable to pay, and hence he could not recover fees of counsel or profit costs of his solicitor. In *Richardson* v. *Richardson and Plowman*, Sir Francis Jeune has now decided that the same practice holds in the Probate Division. The old Court of Chancery seems to have omitted to notice that, though a defendant has an advantage if he does not pay his pauper opponent full costs, yet in case of success he fails to get his own costs. The present rule is in accordance with the general principle that payment for professional services shall not depend on the result of the case. If the services are gratuitous in the first instance, they should retain that character all through.

In the case of *Greatorex & Co.* v. *Shackle* (reported elsewhere) the question which the Divisional Court was called upon to decide does not appear to admit of serious doubt. Nevertheless, it is one which not uncommonly arises, and we learn that great variance has been shewn between the opinions of different county court judges upon the point. The question shortly is this: When two auctioneers or house agents have independently procured a purchaser of property committed to their hands for sale, and one of them has taken proceedings for the recovery of his commission upon the sale, can the other auctioneer (also claiming commission) be brought into the action on an interpleader summons under ord. 27, r. 13, of the County Court Rules, 1889, on the ground that the claims are "opposing or conflicting," and that the court ought to decide upon both claims together? In the present case the plaintiffs introduced a purchaser for a house, but the negotiations were eventually broken off, and no binding contract appears to have been entered into. The vendor then removed the house from the

plaintiffs' books and instructed another firm. The second firm effected a sale to a person who turned out to be the purchaser originally introduced by the plaintiffs. In the action by the plaintiffs for commission, the defendant obtained an order from the registrar that the second firm should attend at the trial for the purpose of having their claim adjudicated upon at the same time. The judge dismissed the second firm from the action, and found for the plaintiffs for the major part of the amount claimed; but he afterwards ordered a new trial on the ground that the claim of the second firm ought to have been disposed of, they having been properly brought in under the rule above referred to. The order for a new trial was set aside by the Divisional Court for the obvious reason that the claims of the two firms were distinct and independent; they were not claiming the same subject-matter, and the rules as to interpleader had no application. It seems strange that it should have been thought otherwise in the court below, and that other county court judges should (as we believe is the case) take a similar view. But the present case ought to settle the point conclusively.

THE DECISION this week in *Seligman* v. *Prince & Co.* (*Limited*) shews that Court of Appeal No. 2 are as determined as ever to maintain the independent corporate existence of private companies, although in *Broderip* v. *Salomon & Co.* (*Limited*) (*ante*, p. 523) it has been solemnly affirmed that as corporations they are altogether unlawful. The Court of Appeal say that there is no inconsistency. The unlawfulness of the company is only brought into play when the promoters seek to gain some advantage out of it. If they look for limited liability, they are told that the company is a trustee or an agent for them, and that they must be responsible for its debts. If they insist that a sale of their business has been made to a company, they are told that the sale is a sham and must be set aside. But for all other purposes the company is treated as though its incorporation had been perfectly lawful. "The court," said LINDLEY, L.J., in *Re George Newman & Co.* (*Limited*) (*ante*, p. 346), "is bound to recognize the company as incorporated, and to give effect to all the consequences of such incorporation." Hence in that case it was held that the directors could not make a gift out of the assets of the company to the chairman, and the chairman was ordered to repay £6,500. So, again, in the present case of *Seligman* v. *Prince & Co.* (*Limited*), the Lord Justice said:—"It is impossible to ignore the existence of the company as a corporate body independent of PRINCE"—that is, of the founder—"and impossible to ignore the company's memorandum and articles of association." Hence the Court of Appeal upheld the validity of debentures issued by the company. Of course it is advantageous that companies of the kind in question—companies, that is, to adopt the phrase of LOPES, L.J., in *Salomon's case*, consisting of less than seven *bond fide* independent members with a will and mind of their own—should be upheld as far as possible. They have been widely assumed to be legal, and persons have dealt with them on this footing. Hence there is no reason to quarrel with *Re Geo. Newman & Co.* and *Seligman* v. *Prince & Co.* In this direction the decisions are unimpeachable. It may be questioned, however, whether the Court of Appeal did not, in *Salomon's case*, go needlessly far in importing into section 6 of the Companies Act, 1862, a requirement which the Legislature abstained from inserting. That seven persons must subscribe the memorandum of association is plain, but that no one of the seven may be a trustee for another is a doubtful result of judicial construction.

THE QUESTION of what is to be understood by "profits" in the working of a company, and how they are to be applied, which has on several occasions been before the courts recently, arose again in *Bishop* v. *Smyrna and Cassaba Railway Co.* (*ante*, p. 469) before KEKEWICH, J. The capital of the defendant company, which was in liquidation, was divided into preference and ordinary shares, the preference shares carrying a dividend of 7 per cent. In July, 1894, the company went into voluntary liquidation, there being at that time arrears of dividend due to the preference shareholders. On taking the accounts it appeared that there was a balance of revenue on the previous half-year's working—that is, up to the 30th of June, 1894—which had not been divided. For the ordinary shareholders it was contended that this had now become part of the general assets of the company, and, after payment of debts and costs of liquidation, would be applicable for repayment of capital. The preference shareholders contended that it was applicable in the first instance to payment of the arrears of dividend. The cases on profits which have been hitherto decided—*Lee* v. *Neuchatel Asphalte Co.* (37 W. R. 321), *Verner* v. *General and Commercial Trust* (38 SOLICITORS' JOURNAL, 384; 1894, 2 Ch. 239), and others—have not been concerned with companies in liquidation, and the present case gave KEKEWICH, J., the opportunity of pointing out the two different meanings of the word "profits." It may mean the actual profit on the trading account, irrespective of the rise or fall in the value of the capital assets of the company, and in this sense it is used when it is said that a going company can divide profits without first making good lost capital. It may also mean the actual surplus of the whole assets of a business, when it comes to be wound up, over their original value, and in this sense there may occasionally be a chance of applying it in a liquidation, as in the *Bridgwater Canal case* (1891, 2 Ch. 317). It is then, indeed, the only sense in which it can be used, for the payment of dividends has necessarily ceased on the liquidation. But there seems to be no reason why profits in the ordinary sense, which have been earned, and which should, according to the constitution of the company, have been divided in a specified manner before the liquidation, should not be treated in the same manner after the liquidation has supervened. On this principle KEKEWICH, J., acted, and directed payment of arrears to the preference shareholders.

JUDICIAL TRUSTEES.

THE Trusts Administration Bill, introduced by the late Government, has, of course, no chance of being proceeded with; but since it will doubtless form the model for a future Bill, it will be convenient to notice its provisions. Its main feature is the establishment of the system of judicial trustees, or "judicial factors," which has for many years been in operation in Scotland. The system was described by Lord M'LAREN in his evidence before the Select Committee on the Administration of Trusts. The judicial factor is a paid trustee appointed by the court, usually in cases where there is an intestacy, or where there is a vacancy in the trust or administration through the death of the nominated trustees or executors, or their refusal to act; but he may also be appointed in the place of existing trustees, where the beneficiaries have reason to be dissatisfied with the management of the trust. The factor is under the supervision of an officer known as the Accountant of Court, and as soon as he enters on his duties he has to give in an inventory of the estate. He has to keep regular accounts, which are sent once a year to the office of the Accountant of Court for audit. He has to keep a separate bank account for the trust money, and he is liable to a penalty and deprivation of office if he keeps more than £50 for over ten days in his own possession or at the credit of his private account. He is not allowed to exercise any discretionary power without first making a report to the Accountant of Court, and if there is any difficulty the matter is brought under the notice of a judge. A set of directions is issued by the Accountant of Court for the guidance of judicial factors. This shews the proper mode of preparing the inventory and the annual statement of accounts, and the points to be attended to on the audit, and it gives advice generally as to matters usually arising in the course of an administration. But the Accountant of Court does not give advice about specific matters, except in connection with the annual audit, or on the occasion of an application by the factor to the court for special powers. In the latter case the factor makes a written report to the accountant mentioning the circumstances and his own views, and concludes by stating briefly the exact powers he wishes the court to grant him. The accountant then states in writing his opinion, and the factor brings his report, with the accountant's opinion, before the judge. One counsel usually attends on the application.

The court has no list of official factors from which to select, but appoints any suitable person nominated by the applicants. In practice an accountant is almost invariably appointed. The judicial factor may prove a will or take out letters of administration. The *corpus* of the property, as well as the income, is under his own control, and on entering upon the administration he has to find securities for the safety of the trust funds. Theoretically these are not really sufficient. In accepting securities in the case of an estate of £100,000 the court would not require to be satisfied that the guarantors were good for this amount. But the system has been found to protect the beneficiaries from loss. The remuneration of the judicial factor varies from one to three per cent. on the income of the trust estate. It is stated that the legal profession in Scotland are satisfied with the system "for the purposes and within the limits to which it is actually applied."

The above details are taken from the evidence of Lord M'Laren as appearing in the minutes of the proceedings before the Select Committee which have been published as a Parliamentary paper. Further information was given by Lord Watson. Strong powers over the factors are, it appears, given to the Accountant of Court. If the accountant is dissatisfied with an investment, he can call on the factor to lodge the money in the bank and hand him the deposit receipt. This power is frequently exercised. The accountant can enforce his demand by simply lodging a note with the court, and on that note the factor is required to attend and give what explanation he can.

This system, or rather a system following this in outline, the Trusts Administration Bill proposes to introduce into England and Wales. Clause 1 provides, by sub-clause (1), that "where application is made to the court as respects the trust of any property by or on behalf of the person creating or intending to create the trust, or of a trustee, or beneficiary, the court may in its discretion appoint a judicial trustee of such trust, either jointly with any other judicial trustee or any other person or persons or as sole trustee, and, if sufficient cause is shewn, in place of any existing trustee." Subsequent sub-clauses provide that the administration of the property of a deceased person, whether a testator or intestate, shall be a trust, and the executor or administrator a trustee, within the meaning of the section; that the judicial trustee may be either an official of the court or any other person, and in either case shall be subject to the control and supervision of the court as an officer thereof; that the court may, either on request or without request, give a judicial trustee any general or special directions in regard to the trust or its administration; and that there may be paid to a judicial trustee such remuneration, not exceeding the prescribed limits, as the court assigns in each case, the remuneration, save as the court for special reasons otherwise orders, to cover all his work and personal outlay.

Clause 2 vests the jurisdiction in the High Court, and in any county court judge to whom jurisdiction is assigned under the Act. Clause 3 deals with the audit of accounts. Once at least in every year the accounts of every judicial trustee are to be audited, and a report thereon made to the court "by the prescribed persons and in the prescribed manner." Thus it is left entirely to the rules to establish an office corresponding to the office of the Accountant of Court in Scotland. The clause goes on to provide that in any case where the court so directs, an inquiry into the administration by a judicial trustee of any trust, or into any dealing or transaction of a judicial trustee, shall be made, and a report made thereon to the court.

In addition to that just mentioned, a great many matters are left to be settled by rules. Clause 6 provides that rules may be made as to the giving of security by judicial trustees; respecting the safety of the trust property, and the custody thereof, where practicable, by the court; as to the remuneration of trustees, and the fees to be taken under the Act; for dispensing with formal proof of facts; for regulating procedure so as to make it simple and inexpensive; for assigning jurisdiction to county court judges; and other matters. The last item in the list is "for preventing the employment by judicial trustees of other persons at the expense of the trust, except in cases of strict necessity." The list will have to undergo considerable modification before the measure assumes a practical form. At present the Bill simply sketches out a scheme, leaving all details to be settled by rules. Such questions as the custody of the trust funds and the jurisdiction of county courts are matters to be considered by the Legislature, and not entrusted to the discretion of the Lord Chancellor.

So far as the scheme itself is concerned, it has, at all events, the merit of avoiding the creation of a public trustee as a new official department. No system will ever rival that of administration by private trustees in economy and in convenience to the beneficiaries, and if any change in the direction of official trusteeship is required, it is a *sine qua non* that the official trustee should be modelled as far as possible on the pattern of the private trustee, and that his sphere should interfere as little as possible with that of the private trustee. The Scotch system of judicial trustees appears to answer to these tests.

We do not understand, however, why the appointments in Scotland have, in practice, gone almost exclusively to accountants. The common-sense view of the matter was presented in the evidence given by Judge Chalmers before the Select Committee. The management of a trust, he pointed out, ought to be in the hands of a solicitor. An accountant's functions ought to be kept to mere audit. Administration in intestacy, or under a will or settlement, is more in the province of a solicitor than of an accountant. It may always develop into court work, and ought to be in the hands of a person who would eventually carry it into court. There is also the additional reason furnished by the control exercised by the Incorporated Law Society over solicitors. It may be expected that these considerations would weigh with the court in this country in making appointments.

In addition to the clauses creating a system of judicial trustees, the Bill contains two clauses dealing with the general law of trusts. Clause 4 provides, by sub-clause (1), that where a trustee is personally liable for any breach of trust, but has acted "honestly and reasonably and with the intention of carrying his trust into effect, and if he ought fairly to be excused for the breach of trust and for omitting to obtain the directions of the court in the matter, the court may relieve him, either wholly or partly from liability. And sub-clause (2) enables the court to authorize beforehand a departure from the terms of a trust, where satisfied that, since the creation of the trust, there has been a change of circumstances, and that such departure will not prejudice any of the beneficiaries. Clause 5 extends the provisions of the Larceny Act, 1861, relating to misappropriation by a trustee of trust property, to trustees under a parol trust, it being proved that the person charged knew that he was in fact a trustee. It is to be noticed that clause 4 only excuses a trustee who has intended to carry out his trust. It does not excuse a wilful departure from the terms of the trust, however honestly this may have been designed in the interest of the beneficiaries. It may be questioned whether the provision will, in practice, have any great effect in relieving trustees.

LEGISLATION IN PROGRESS.

Short Titles.—The object of clause 1 of the Short Titles Bill, introduced by the Lord Chancellor, is to supplement the Short Titles Act, 1892, by giving short titles to all public general Acts passed since 1706 (the date of the union with Scotland) which have not already had short titles given to them. Clause 2 gives collective titles to some additional groups of Acts. Clause 3 provides for certain cases where, upon the repeal of the greater part of an Act but not of the whole, the section giving the short title has been included in the repeal. In such cases the Act may continue to be cited by the short title, notwithstanding the repeal. The schedule of Acts to which short titles are now given occupies nearly 120 pages. Among the collective names are the Bank of England Acts, 1694 to 1892, the Building Societies Acts, 1874 to 1894, the Conveyancing Acts, 1881 to 1892, the Evidence Acts, 1806 to 1885, the Licensing Acts, 1828 to 1886, and the Solicitors Acts, 1839 to 1894. The Bill has been read a second time in the House of Lords and referred to the Joint Committee on Statute Law Revision.

Administration of Estates.—The Administration of Estates (Consolidation) Bill has been read a second time in the House of Lords.

Market Gardeners' Compensation.—The Earl of Dudley, in moving the second reading in the House of Lords of the Market Gardeners' Compensation Bill, said that it had been prepared in the interests of market gardeners, and especially in the interests of those

in South Worcestershire, who carried on their industry under conditions differing from those prevailing in other parts of the country. The Bill embodied no new principle, and its object was simply to extend the application of the Agricultural Holdings Act, 1883, to certain cases which at present were not adequately provided for by that measure. It proposed to give to market gardeners advantages similar to those already conferred upon other agriculturists. Under the Act of 1883 compensation could only be obtained by a tenant for what were termed exceptional improvements if he had obtained the permission of the landlord to make them. But many improvements held under the Act of 1883 to be exceptional improvements were really essential and necessary in the case of the market-gardening industry. Examples of such improvements were the planting of fruit tree and bushes and the erection or enlargement of buildings. It was proposed, where land was used as a market garden, with the knowledge of the landlord, to take improvements of that kind out of the category of exceptional improvements, and to give the market gardener the same rights of compensation with regard to them as were possessed by other agricultural tenants with regard to ordinary and necessary improvement. The Earl of WINCHILSEA suggested that, instead of incorporating in the present Bill the machinery of the Act of 1883 as to valuations, it might be better to adopt the simpler and less expensive machinery of the Allotments and Cottage Gardens Compensation for Crops Act, 1887. The Bill was read a second time.

DOGS.—The Dogs Bill introduced by Lord CARRINGTON has for its object the consolidation and amendment of certain enactments relating to dogs. By section 54 of the Metropolitan Police Act, 1839, a penalty is imposed on any person who suffers any unmuzzled ferocious dog to be at large, or sets on any dog to attack any person, horse, or other animal; and by section 61 a metropolitan police constable is authorized to destroy any dog reasonably suspected of being in a rabid state, or which has been bitten by a dog or animal so suspected: and an owner who allows such a dog to go at large after having reasonable grounds for believing it to be mad or bitten by a mad animal is liable to a penalty. By section 28 of the Town Police Clauses Act, 1847, the liability to penalties in the two cases just mentioned was made general. The Dogs Act, 1865, made the owner of a dog absolutely liable in damages for injury done to cattle or sheep by his dog, without any necessity for the party seeking damages to shew knowledge of mischievous propensity in the dog. Section 18 of the Metropolitan Streets Act, 1867, enabled the police to seize dogs found in the streets not under the control of any person, and to detain them until claimed by the owners and expenses paid; enabled the commissioner of police to issue muzzling orders; enabled the commissioner to cause dogs seized by the police to be sold or destroyed if not claimed for three days; and enabled a magistrate to order the destruction of any dog which had bitten or attempted to bite any person within the metropolis. The Dogs Act, 1871, made similar provisions for the country generally. The power of seizure was applied to savage or dangerous dogs straying on any highway; a court of summary jurisdiction was empowered, on complaint that a dog was dangerous and not kept under proper control, to order it to be kept under proper control or destroyed; and a local authority was empowered, where a mad dog or suspected mad dog was found within their jurisdiction, to place restrictions on all dogs not under control (section 3). The above enactments, as well as other enactments applying solely to Scotland or Ireland, are proposed to be repealed by the Bill, and their substance, except apparently section 3 of the Act of 1871, is re-enacted. Clause 1 confers on the police power to seize and detain any dog found in a highway or place of public resort which they have reason to believe is a stray dog. If it wears a collar by which the owner can be identified, notice of the seizure must be served on him. After three days the dog may be sold or destroyed. A dog so seized must be properly fed and maintained at the expense of his owner, or, failing recovery from the owner, at the expense of the police fund, which also profits by the proceeds of any sale of dogs. Among the thirty-seven matters enumerated in section 22 of the Diseases of Animals Act, 1894, with regard to which the Board of Agriculture may make orders, are "the prescribing and regulating the muzzling of dogs and the keeping of dogs under control" (xxx.), and "the prescribing and regulating the seizure, detention, and disposal (including slaughter) of stray dogs and of dogs not muzzled, and of dogs not being kept under control," and the recovery of expenses from the owners (xxxi.). Clause 2 of the Bill proposes to include also, as matters with regard to which the Board of Agriculture may make orders, the prescribing and regulating the wearing of collars by dogs with the name and address of the owner or a number for identification, and the prescribing and regulating the seizure, detention, and disposal (including destruction) of dogs not wearing collars. Clause 3 re-enacts the power of a magistrate to order a dangerous dog to be destroyed or kept under proper control, and of the police to destroy dogs which are mad or have been bitten by a mad dog or other animal. Clause 4 re-enacts the penalties for suffering ferocious or mad dogs to be at large, or for inciting dogs to worry persons or animals, and clause 5 continues the protection of cattle or sheep. The Bill has been read a second time in the House of Lords, the Duke of Argyll putting in a plea for the extension of the time of grace of three days.

WINTER GARDENS.—The Museums and Gymnasiums Act, 1891 (Amendment), Bill, introduced by Lord MEATH, defines "winter garden" as "any garden under cover, of a size and design to allow persons to sit and walk about within it." The Bill proposes that any urban authority may provide and maintain winter gardens, and generally do all things necessary for the provision and maintenance of such winter gardens; and all the powers conferred upon an urban authority by the Act of 1891 with regard to museums are to apply to winter gardens. Upon the debate on the second reading in the House of Lords it was objected that as the Bill dealt very largely with financial matters, it was not one which ought to be originated in the House of Lords, and the proceedings on the Bill were suspended.

MORTGAGEES' COSTS.—The Mortgagees' Costs Bill has been considered by the House of Lords Standing Committee, and was ordered to be reported with drafting amendments only.

MARINE INSURANCE.—Upon the Marine Insurance Bill coming on for consideration in the House of Lords' Standing Committee, the Bill was, on the motion of the Lord Chancellor, referred to a sub-committee prior to its consideration by the Grand Committee, the sub-committee to consist of the Lord Chancellor, Lord WATSON, Lord ROTHSCHILD, Lord HALSBURY, and Lord RUSSELL OF KILLOWEN.

OFFICERS OF THE SUPREME COURT.—The Supreme Court (Officers) Bill has, on the motion of the Home Secretary, been withdrawn.

MARRIED WOMEN.—The Summary Jurisdiction (Married Women) Bill, introduced by Mr. BYRNE, is intended to consolidate and amend the provisions of section 4 of the Matrimonial Causes Act, 1878, and the Married Women (Maintenance in Case of Desertion) Act, 1886. As amended by the Standing Committee on Law, the Bill provides by clause 4 that orders under the Act may be made where a husband has been summarily convicted of an aggravated assault on his wife; where he has been convicted of an assault upon her on indictment and has been sentenced to pay a fine of over £5, or to imprisonment for more than two months; where he has deserted her; and where he has been guilty of persistent cruelty to her, or has wilfully neglected to provide maintenance for her and her infant children, and by such cruelty or neglect has caused her to leave him. In such cases a court of summary jurisdiction may order that the wife be no longer bound to cohabit with her husband, an order which, as long as it remains in force, will have the effect of a decree of judicial separation on the ground of cruelty; that the legal custody of the children under sixteen be given to the wife; and that a weekly sum not exceeding £2 be paid by the husband to the wife (clause 5). Clause 6 declares that no order shall be made under the Act where the wife has committed adultery, but, on the suggestion of Sir FRANCIS JEUNE, this limitation on the powers of the court has been restricted to cases where the husband has not condoned, or connived at, or by his wilful neglect or misconduct conduced to the adultery. Clause 4, as at present drafted, is in a very inconvenient form. It ought to be split up into paragraphs.

REVIEWS.

PARISH COUNCILS.

THE LAW RELATING TO PARISH COUNCILS. SECOND EDITION. By A. F. JENKIN, of the Inner Temple. Knight & Co.

THE PARISH COUNCILLOR'S GUIDE TO THE LOCAL GOVERNMENT ACT, 1894. By H. C. RICHARDS and J. P. H. SOPER. THIRD EDITION. Jordan & Sons.

The first of these two publications is one of the best, if not indeed the best, of the books on its subject. The first editions of most of the books were issued with haste, being required promptly for the education of the electorate and of those engaged in putting the Local Government Act, 1894, into operation. By this time, however, more experience has been gained and more leisure has been at the disposal of the various authors competing for public and professional favour. We may now, therefore, with fairness be more critical in our judgment, and may expect more and better information to be given us, and as far as Mr. Jenkin's book is concerned, we may say at once that we have not been disappointed. Every point on which we could reasonably ask information has been satisfactorily treated, and on many subjects of difficulty a large amount of laborious condensation gives the reader the safe guide he requires. The following subjects strike us as being particularly well elaborated—the powers of the parish council as a corporation, the qualification of electors, the appointment of overseers and parish constables, the rating of small tenements, the valuation list, the county rate, allotments under the Inclosure and Allotment Acts, the acquiring of land, and the effect of the Act on charities.

The other book mentioned above is also good for the purposes which it aims at, and it will no doubt continue to be a favourite with the ordinary parish councillor and with the clergy and churchmen, who are stated in the preface to have received the former editions favourably. The volume is a handy and useful compendium of the law on the more prominent matters affected by the Act, and is sufficient for the use of any who do not require the fuller information so necessary in the library of the busy lawyer.

PUBLIC HEALTH.

THE LAW RELATING TO PUBLIC HEALTH AND LOCAL GOVERNMENT: BEING THE PUBLIC HEALTH ACT, 1875, AND OTHER STATUTES AFFECTING DISTRICT COUNCILS, WITH THE DECISIONS OF THE COURTS RELATING THERETO, AND THE ORDERS, REGULATIONS, &C., OF THE LOCAL GOVERNMENT BOARD. By the late WILLIAM CUNNINGHAM GLEN, Barrister-at-Law, and by the Editor of the present Edition. ELEVENTH EDITION. By ALEX. GLEN, M.A., LL.B., Barrister-at-Law. INCLUDING THE LOCAL GOVERNMENT ACT, 1894, AND THE STATUTES AND ORDERS RELATING TO THE ELECTION OF DISTRICT COUNCILS. By A. F. JENKIN, Barrister-at-Law. Knight & Co.

This edition of Glen on Public Health is published in two volumes of very convenient size. The first is occupied with the Public Health Act, 1875, and with the useful and carefully-prepared notes which are appended to the various sections. In some instances these are of considerable length, as in the note to section 4, which deals (*inter alia*) with the cases on the statutory definitions of "owner" and "street," and in the note to section 150 on the power of the local authority to compel the paving and lighting of private streets. In lieu of this section an urban authority may now have recourse to the Private Streets Works Act, 1892, a statute which is given in Vol. 2. The usefulness of this edition of the Act of 1875 is not a little increased by the style in which it has been printed. The notes as well as the text are in good, clear type. The index, also, which is bound with Vol. 1, is so printed and arranged as to furnish the greatest assistance to the reader, and there is no doubt that, as Mr. Glen says in the preface, great labour has been expended upon it.

The quantity of matter contained in Vol. II. has necessitated the employment of smaller type, but the printing and arrangement still leave nothing to be desired. Altogether some hundred and twenty statutes, in whole or in part, either incorporated with or amending the Public Health Act, 1875, or otherwise affecting sanitary authorities or district councils, are collected. The editor has done wisely to print them in chronological order. With the assistance given by the index and cross-references they are more useful in this way than if an attempt had been made to group them according to subject-matter, and it is possible to refer at once to any particular Act simply by means of the date. The statutes include the Local Government Act, 1894, which has been annotated by Mr. Jenkin. His care and industry are illustrated by the note on highways appended to section 25, and that on disqualifications for parish or district councils to section 46. The latter part of Vol. II. contains the orders, memoranda, &c., of the Local Government Board and Privy Council. This edition has been very carefully and judiciously prepared, and will be found of the highest value in all matters pertaining to public health and local government.

BOOKS RECEIVED.

The Statutes of Practical Utility. Arranged in Alphabetical and Chronological Order, with Notes and Indexes. Being the Fifth Edition of Chitty's Statutes. By J. M. LELY, Barrister-at-Law. Vol. IX.: "Partition" to "Privy Council." Sweet & Maxwell (Limited); Stevens & Sons (Limited).

NEW ORDERS, &c.

ORDERS OF TRANSFER.

ORDER OF COURT.

Thursday, the 20th day of June, 1895.

Whereas, from the present state of the business before Mr. Justice North, Mr. Justice Stirling, and Mr. Justice Kekewich respectively, it is expedient that a portion of the causes assigned to Mr. Justice North and Mr. Justice Stirling should be transferred to Mr. Justice Kekewich; now I, the Right Honourable Farrer, Baron Herschell, Lord High Chancellor of Great Britain, do hereby order that the several causes and matters set forth in the schedules hereto, be accordingly transferred from the said Mr. Justice North and Mr. Justice Stirling to Mr. Justice Kekewich, and be marked in the cause books accordingly. And this order is to be drawn up by the registrar and set up in the several offices of the Chancery Division of the High Court of Justice.

FIRST SCHEDULE.

From Mr. Justice NORTH.

1895.

Hunt v Gingel, Son, & Cruickshank 1894 H 4,313 April 3
Waite v Newbury 1894 W 1,958 April 4
Pratt v Champion 1894 P 3,086 April 6
Seaborne v Haynes Haynes v Seaborne 1894 S 4,778 April 8
Lloyd v Nowell 1894 L 2,633 April 10
Attorney-Gen v Guildford, Godalming, & Woking Joint Hospital Board 1894 G 2,008 April 11
Mackinlay v Metzler & Co ld 1894 M 920 April 11
Ramsbotham v Fielden 1895 R 287 April 17
Barrett's Brewery & Bottling Co ld v Wetherley 1894 B 4,308 April 18
Browne v Tucker 1894 B 3,185 April 19
North Met Ry & Canal Co v Peyton 1894 N 40 April 20
MacBean v Pullman 1894 M 3,663 April 20
Williams v Quebrada Ry Land and Copper Co ld 1894 W 2,766 April 26
Braun v Englander 1895 B 888 April 26
Lambert v Hart 1894 L 2,437 April 27

SECOND SCHEDULE.

From Mr. Justice STIRLING.

1895.

Windebank v Stride 1894 W 2,341 April 5
Breadmore v Gifford 1894 B 5,300 April 17
Galton v Keens 1894 G 194 April 17
Bell v Clarke 1894 B 3,806 April 18
Newton v Crowdy 1894 N 1,799 April 25
Goodall v Goodall 1894 G 991 April 27
Barklie v Head 1894 B 5,833 April 29
Edgar v Jacobs 1894 E 1,376 April 30
Spitzkop v The Spitzkop Farm Gold Co ld 1895 S 1,220 May 4
Kendal v Woodman 1895 K 46 May 4
Nisbet v Great Dundas Gold Mining Co ld 1894 N 1,843 May 13
Evans v Butcher 1894 E 1,538 May 15
Dickerson v Brown 1894 D 1,543 May 16 (London Number)
Oughton v Holland 1894 O 1,867 May 20
Bush v Barnato Brothers 1895 B 412 May 22

HERSCHELL, C.

The following are the above actions placed in the order in which they appear in the cause-book:—

Hunt v Gingel, Son, & Cruickshank
Waite v Newbury
Windebank v Stride
Pratt v Champion
Seaborne v Haynes Haynes v Seaborne
Lloyd v Nowell
Attorney-Genl v Guildford, Godalming, and Woking Joint Hospital Board
Mackinlay v Metzler & Co, ld
Ramsbotham v Fielden
Breadmore v Gifford
Galton v Keens
Barrett's Brewery and Bottling Co, ld v Wetherley
Bell v Clarke
Browne v Tucker
North Metropolitan Railway and Canal Co v Peyton
MacBean v Pullman
Newton v Crowdy
Williams v Quebrada Railway, Land, and Copper Co, ld
Braun v Englander
Lambert v Hart
Goodall v Goodall
Barklie v Head
Edgar v Jacobs
Spitzkop v The Spitzkop Farm Gold Co, ld
Kendall v Woodman
Nisbet v Great Dundas Gold Mining Co, ld
Evans v Butcher
Dickerson v Brown
Oughton v Holland
Bush v Barnato Brothers

COUNTY COURT FEES.

In pursuance of the powers given by the County Courts Acts, and of all other powers enabling Us in this behalf, We the undersigned, being two of the Lords Commissioners of Her Majesty's Treasury, do hereby, with the consent of the Lord Chancellor, order that, on and after the 1st of June, 1895, the following alterations shall take effect in our Order relating to Court Fees of the 1st of January, 1889, viz.:

In paragraph 6 ("For every hearing") the following words shall be added:—

"Where before an action or matter is called on for trial, or in opening his case when called on, the plaintiff abandons any part of his claim, the hearing fee shall be charged only on the reduced amount which the plaintiff seeks to recover after such abandonment, including therein the amount (if any) paid into Court, or otherwise admitted by the defendant."

In paragraph 7 ("In all cases, &c.") the following words shall be

inserted between the words "claim" and "one" in the second line, viz.:—

"or where the Judge or Registrar accepts a letter addressed to the Court as an admission of the claim."

Paragraph 9 ("The hearing fee on interpleader") shall read as follows:—

"The hearing fee on interpleader shall be prepaid by the claimant, and shall be estimated on the amount of the money in Court or in the hands of the Sheriff, or the assessed value of the goods claimed, or, if such value has not been assessed, the value put upon them by the claimant, plus in either case the amount of the damages (if any) claimed: and the Judge at the hearing shall direct by whom such fee shall be ultimately borne."

(Signed) R. M. FERGUSON.
W. MCARTHUR.

3rd May, 1895.

I approve,
(Signed) HERSCHELL, C.

CASES OF THE WEEK.

High Court—Chancery Division.

Re **RUCK'S TRUSTS**—North, J., 22nd June.

PRACTICE—PAYMENT OUT UNDER LANDS CLAUSES CONSOLIDATION ACT—COSTS OF INCUMBRANCERS APPEARING TO CONSENT—PETITIONERS AND MORTGAGOR EMPLOYING THE SAME SOLICITOR.

Petition by trustees for payment out of court of money paid in under the Public Health Act, 1875, and the Lands Clauses Consolidation Act, 1845, in respect of land taken by a local board. Prior to the compulsory sale and payment into court the trustees had created incumbrances upon the property by way of first and second mortgages. The petition had been served on both sets of mortgagees, who consented to the payment out to the petitioners, there being ample moneys in the hands of the trustees to satisfy the mortgages, independently of the fund in court. At the time of service no costs were tendered to the mortgagees, but they were left to appear upon the hearing of the petition for the purpose of consenting thereto. The local board objected to pay the costs incurred by the mortgagees' appearance and contended that, in respect of these costs, the utmost that the court ought to allow against the board was thirty shillings and the cost of an affidavit of service (Seton 5th ed., p. 2041 and the cases there cited).

NORTH, J., after referring to *Re Halstead United Charities* (L. R. 20 Eq. 48), *Re Gore Langton's Estates* (L. R. 10 Ch. 328), *Re Artizans' and Labourers' Dwellings Improvement Act*, 1875 (14 Ch. D. 624), and *Re Olive's Estate* (44 Ch. D. 316), upheld the objection, and in respect of the mortgagees' costs, only allowed the petitioners the sum of thirty shillings and the costs of the affidavit of service, observing that these costs should have been tendered to the mortgagees upon service of the petition. The mortgagees would be entitled to add their costs to their security, and any question as to costs arising from the fact that the petitioners and the second mortgagees employed the same solicitor would have to be dealt with by the taxing master.—COUNSEL, *Badcock*, *A. Frere*, *Dighton Pollock*, and *C. E. E. Jenkins*. SOLICITORS, *Hunters & Haynes*; *Milne & Milne*; *Thomas D. Pettiver*.

[Reported by R. SILLEM, Barrister-at-Law.]

In the Matter of **A SOLICITOR OF THE SUPREME COURT**—North, J., 21st June.

CONTEMPT—WRIT OF ATTACHMENT—SUBSEQUENT ARRANGEMENT—INTERFERENCE WITH THE PROCESS OF THE COURT—VALIDITY OF WRIT—LEGALITY OF ARREST.

Motion for the discharge of a solicitor, who had been attached for non-compliance with an order of the court directing him to pay a sum of £78 3s. 3d., being moneys found by the taxing master's certificate to be due from him to a company for which he had acted as collector. The writ of attachment was issued on the 26th of April, 1895, but was to lie in the office for a week; it directed the sheriff to arrest the solicitor, and endorsed upon it was a memorandum, stating that the writ was issued "pursuant to an order of the court for such default as was therein mentioned being a default in payment of money." The writ was lodged with the sheriff on the 4th of May. On the 9th of May the solicitor's wife saw one of the company's directors, who, on her urgent appeal, agreed that if her husband paid something on account, fourteen days should be given him in which to pay the balance, and in the meantime the sheriff would be told to hold his hand. On the same day the debtor paid £25, and notice of the payment was given to the sheriff. The debtor failed to pay the balance before the expiration of the fourteen days, and a further four days' grace was given to him. The money was not paid, and eventually the sheriff executed his writ and arrested the debtor on the 14th of June. The debtor now moved that the said writ of attachment might be set aside, and that he might be discharged from the custody of the Governor of Lewes Gaol on the ground that at the time he was arrested he was under no contempt in the sum for which he was arrested. It was argued on his behalf that the above-mentioned arrangement constituted such an interference with the terms of the original order that the writ was no longer good, and that his arrest was consequently illegal: *Harvey* v. *Hall* (L. R. 16 Eq. 324, 21 W. R. 733).

NORTH, J., refused to make an order for the discharge of the prisoner, being of opinion that *Harvey* v. *Hall* did not apply, for in that case the proceedings for attachment were subsequent to the arrangement between the parties, whereas in the present case the writ was issued prior to the arrangement. The sheriff was bound to execute the writ, and that being so, nothing that the company could do could release the sheriff from his obligation to arrest the debtor. Motion dismissed with costs.—COUNSEL, *Vernon Smith*, Q.C., and *Cannot*; *Swinfen Eady*, Q.C., and *W. A. Peck*; *Stewart Smith*. SOLICITORS, *Prince & Plumbridge*; *Norman C. Barraclough*; *Palmer & Bull*, for *Upperton & Bacon*, Brighton.

Reported by R. SILLEM, Barrister-at-Law.

THE SIXTH WEST KENT MUTUAL PERMANENT BUILDING SOCIETY v. SHOVE AND OTHERS—Stirling, J., 19th June.

BUILDING SOCIETY—ALTERATION IN RULES—VALIDITY.

This was a special case for the opinion of the court on the following questions:—(1) Whether the "C" shares in the building society were preferential as regards capital or only as regards payment of interest. (2) Whether a new rule, No. 26, section 89, was *ultra vires* or otherwise invalid. (3) In what priority the plaintiff society ought to pay the withdrawn shares. The society was registered on the 13th of December, 1878, under the Building Societies Act, 1874, as a terminating society. In October, 1889, it was incorporated as a permanent society. The society had issued three classes of shares, styled respectively "A" "B" and "C." The "A" and "B" were both subscription shares, and for the purposes of this special case could be regarded as on the same footing. The "C" shares, however, were issued under rule 5, section 22, of the society's rules, which was in the following terms:—"The directors shall have power to issue preferential shares to be designated "C" shares in accordance with the following certificate:—'This is to certify that is the proprietor of "C" shares of £100 each . . . which shares can either be withdrawn or paid off on receipt . . . of three calendar months' previous notice in writing provided the shares shall have been in existence twelve months and in the event of notice by the proprietor will be paid out of the funds of the society along with the other £100 "C" shares in order of priority of notice to withdraw the same.'" About the month of October, 1889, rule 26, section 89, of the societies rules was cancelled and a new rule substituted as follows:—"After the 31st of December, 1890, no further advances shall be made upon shares then existing. From and after the passing of this rule the withdrawal of shares—other than "C" shares—by priority of notice shall cease and all funds derived from repayment of advances, from realization of properties in possession or any other source, shall be applied as follows, first to the expenses of maintenance and the secretary's salary, the payment of capital and interest upon 'C' shares, and the remainder *pro ratâ* to the repayment from time to time of the subscriptions standing to the credit of the holders of unadvanced shares until the total assets of the society have been realised and distributed." Since then there had been no new members admitted to the society nor had any business been transacted other than the realization, &c., of the assets of the society. In October, 1889, the society, after discharging all its liabilities to non-members, found itself unable to meet in full the claims of withdrawing members without having recourse to those rules which provided for the contribution of members when the profits were not sufficient to meet expense or loss. It consequently became necessary, the assets of the society being insufficient to pay all the members in full, to ascertain the rights of the holders of "C" shares.

STIRLING, J., said that he was of opinion that the case fell within that of *In re The Sunderland Building Society* (38 W. R. 509, 24 Q. B. D. 395), and that the certificate gave to the "C" shares a priority over the "A" and "B" shares in respect of interest, and also in respect of capital where notice of withdrawal had been given, but where no notice of withdrawal had been given the "C" shareholders were only entitled to a preference so far as the interest was concerned. The new rule must be read in the light of surrounding circumstances, and his lordship thought that at the time it was made the members were aware that a winding up was inevitable, and that in fact the rule was directed to a realization of the assets. That being the case the society had no power to make a rule, the effect of which would be to sweep away the rights of the "A" and "B" holders under their contract. The society might possibly have been justified in making such a rule, had it been intended to carry on business, but clearly it was not so intended, and his lordship based his judgment on the fact that the society was about to wind up. Held, therefore, that the "C" shareholders, excepting those who had given notice of withdrawal, were preferential only as regards payment of interest.—COUNSEL, *J. Ashton Cross*; *H. Terrell*; *Duke*. SOLICITORS, *W. Bristow*; *Lumley & Lumley*.

[Reported by ARTHUR MORTON, Barrister-at-Law.]

Re **MASKELL & GOLDFINCH'S CONTRACT**—20th June, Stirling, J.

VENDOR AND PURCHASER—GAVELKIND—ENFRANCHISEMENT BY INFANT—INSUFFICIENT CONSIDERATION.

This was a summons under the Vendor and Purchaser Act, 1874, to determine whether or not the vendor, under a contract for the sale of certain real estate made between George Maskell of the one part and Edward Goldfinch of the other part and dated the 24th of October, 1894, had shewn such a title as the purchaser could be compelled to accept. The property, the subject of the sale, was situate in Kent, and was of gavelkind tenure, and was until the 28th of August, 1892, vested in one Richard Henry Carr, who died intestate on that date, leaving a widow and three sons, him surviving. Two of these said three sons were infants. Accord-

ing to the custom of gavelkind the three sons became equally entitled to the property subject to the dower of the widow. On the 20th of November, 1893, the widow and the eldest son, as beneficial owners, conveyed their respective shares and interests in the property to the plaintiff, and in the deed of conveyance it was recited that the widow and her three sons had agreed with the plaintiff for the sale to him of the said property for the sum of £750, that two of the said three sons were still infants, and that it had therefore been agreed that they should convey their shares of the property by customary feoffments, that the purchase-money (*i.e.*, £750) had been apportioned as to £375 to the widow and as to £125 to the eldest son, and the said conveyance was expressed to be made in consideration of these said sums paid to the widow and the eldest son aforesaid. Of the two infants, one was over and one was under the age of fifteen at the date of the contract, and it was arranged that, as soon as the younger of the two attained that age, they should assure their shares to the plaintiff by feoffment, which was duly effected on the 5th of December, 1893, by charters of enfeoffment under the custom of gavelkind, the consideration money in each case being £125. On the 24th of October, 1894, the plaintiff agreed to sell the said property to the defendant, who made the following requisition:—"Upon what basis was the purchase money apportioned by the conveyance of the 20th of November, 1893, and the feoffments of the 5th of December, 1893? Mrs. Ruth Carr's dower would only consist of a moiety for life while chaste and unmarried. Upon what principle does she receive a moiety of the purchase money?" The answer to this requisition was as follows: "It was so decided at the express desire of the sons who wished to deal liberally with their mother." The two younger sons were still infants at the date of the issue of the writ and would not be of age for some years. They and their mother had gone to Russia, where they resided. The purchaser refused to accept the vendor's title, on the ground that the widow had received more of the purchase money than she was entitled to, and that the consent of the infants thereto was not binding and might be withdrawn on their attaining their majority. This summons was taken out by the vendor, who sought a declaration that the fee simple in the shares of the two infants in the property in question had been conveyed to and absolutely vested in him (the vendor) by the charters of feoffment aforesaid and the liveries of seisin in accordance therewith.

STIRLING, J., after stating the facts, delivered judgment as follows:—In my judgment the requisition of the purchaser is well founded. The question for me to decide is whether or not the purchaser's objection is valid, and it seems to me that it is. The question is one of gavelkind law, and such points do not arise very often. Counsel have put before me extracts from Davidson's Precedents in Conveyancing, which state the law applicable to the subject, and they have asked me to decide the matter on that basis, they being content to accept the statements in question as correct. I see no reason why those statements should not be accepted, so far as they are material, as a correct statement of the law. It is there laid down: "Every one of the age of fifteen years holding or claiming to hold any lands in gavelkind may give (by way of sale) his land of which he is seised as lawfully and freely as any other person of the age of twenty-one years his foreign tenures, which are held by knight's service." "The later resolutions and practice have added the following reasonable and proper restrictions to this customary alienation:—that it must be by feoffment, and the livery of seisin must be *propria manu* of the infant, and not by the letter of attorney, nor does the custom extend to any other conveyance or assurance, for it shall be taken strictly . . ." "It is said that the custom extends only to sales for a valuable consideration, it must be evidenced by a deed or writing signed by the infant's own hand, and at the time of the feoffment the infant must be in the actual possession of the land." "It would seem that an infant, as he cannot execute a release, cannot give a valid receipt for the purchase-money; for the general practice is to add to the memorandum of livery of seisin an attestation that the consideration-money was paid to the infant instead of indorsing a receipt for it, . . . but although a purchaser may, without personal risk, pay the money to the infant, it is often advisable, for the infant's sake, that the purchaser should require it to be invested in the funds in the names of trustees, or even in the infant's name, until he attains twenty-one, and usually there is no difficulty in prevailing on the vendor to adopt this course." To this statement of the law must be added the statement in Bacon's Abridgement which has been read to me by the learned counsel. "The liberty of selling was allowed at the age of fifteen for the convenience and necessity of commerce, which, in these small divided shares, was absolutely necessary, yet it was allowed under such limitations and restrictions that the infant could not be wronged or imposed upon; therefore an infant that sells must have a valuable consideration, because otherwise it is a plain sign that he was defrauded." Now it is contended that on the facts of the case there is evidence that the infants have been wronged and imposed upon. I think that that is established. The mother took one-half of the purchase-money, which, on the face of the matter, is clearly more than she was entitled to. It is further said that the mother was the guardian of the infants, and was in a fiduciary position in regard to them. That makes the matter worse. That being so, it seems to me that the infants are entitled under the contract to a greater share of the purchase-money than they have received, and they cannot release their rights thereunder until they are twenty-one and in full possession of all the facts. I think, therefore, that the vendor has not made out such a title as a purchaser can be compelled to accept, because it is possible that when the infants attain twenty-one they may assert some claim with respect to the purchase-money received by their mother. Therefore I think the requisition is well founded. I make a declaration that the purchaser's requisition has not been sufficiently complied with, and I order the plaintiff to pay the costs down to the present hearing, but reserve liberty to him to apply in case he can make out a good title. I also give the purchaser liberty to apply in all respects as if he had taken out a summons himself.—COUNSEL, *Gatey; Tanner.* SOLICITORS, *J. E. & R. Scott*, for *Scott & Warhurst*, Herne Bay; *Moon, Gibbs, & Moon.*

[Reported by ARTHUR MORTON, Barrister-at-Law.]

High Court—Queen's Bench Division.

GREATOREX & CO. *v.* SHACKLE—24th June.

AUCTIONEER—COMMISSION—SEPARATE CLAIMS IN RESPECT OF THE SALE OF THE SAME HOUSE BY TWO AUCTIONEERS—"OPPOSING OR CONFLICTING CLAIMS"—INTERPLEADER—COUNTY COURT RULES, 1889, ORD. 27, R. 13.

Appeal from the Marylebone County Court (his Honour Judge Stonor). The action was brought by the plaintiffs, a firm of auctioneers and estate agents, to recover £35 for commission upon the sale of the defendant's house to a purchaser who had been introduced by the plaintiffs. In November, 1893, the defendant placed the house on the plaintiffs' books for sale, and in the following February the plaintiffs introduced a Mrs. Ricketts as a probable purchaser, but, after some negotiation, the offer made by Mrs. Ricketts was withdrawn. In March, 1894, the defendant wrote to the plaintiffs withdrawing the house from their books, and instructed Messrs. Walton & Lee to sell the house. Messrs. Walton & Lee, after an abortive attempt to sell the house by auction, received an offer (in June, 1894) from a firm of solicitors to purchase the house on behalf of a client, and in the following November a contract was entered into, the purchaser being Mrs. Ricketts, the same person whom the plaintiffs had originally introduced. The defendant agreed with Messrs. Walton & Lee that their charges should be £25. After the action by the plaintiffs had been commenced the defendant paid £25 into court, and obtained a summons calling upon Messrs. Walton & Lee to appear at the trial, on the ground that they claimed the subject-matter of the action. The summons was issued under the County Court Rules, 1889, ord. 27, r. 13, which provides that where the defendant in an action for debt, &c., "has had notice of any other opposing or conflicting claims to such debt, &c., he may, within five days of the service of the summons, apply to the registrar for a summons against . . . . the person making such conflicting claim, and the registrar shall thereupon issue an interpleader summons . . . and upon the return day of such summons the judge shall hear the case of the defendant and of the plaintiff in the action, and also of the . . . . person making such opposing or conflicting claim, and shall give such judgment therein as shall finally determine the rights and claims of all parties as if the same had been an ordinary action into which a third party had been introduced by counter-claim." At the hearing, on May 7 and 10, 1895, counsel for the plaintiffs objected to the summons, and the county court judge decided against its validity, and discharged Messrs. Walton & Lee from the action, with costs, to be paid by the defendant; he also gave judgment for the plaintiffs for the amount claimed. The defendant moved for a new trial, upon the grounds (amongst others) "that the claim of the claimants (Messrs. Walton & Lee) ought to have been adjudicated upon as a party to the issue." The county court judge was of opinion that the case fell within the 89th section of the Judicature Act, 1883, and order 57 of the Rules of the Supreme Court, and ord. 27, r. 13, of the County Court Rules, and ordered a new trial and hearing of the action and interpleader summons. The plaintiffs nd Messrs. Walton & Lee appealed.

THE COURT (WILLS and WRIGHT, JJ.) allowed the appeal.

WILLS, J.—In this case a series of mistakes have been made in the county court. The action was brought by Messrs. Greatorex & Co. to recover a sum for commission in respect of a sale of the defendant's house effected by them. Messrs. Walton & Lee also claimed a sum in respect of the sale by them of the same property. The defendant applied *ex parte* for an interpleader summons against Messrs. Walton & Lee, and obtained it. The action and the interpleader summons came on for hearing together, and objection was taken on behalf of Messrs. Walton & Lee that the interpleader order was made without jurisdiction. The judge came to the conclusion that that was so, and discharged Messrs. Walton & Lee from the action, with costs, to be paid by the defendant. I think that that order was right. On the trial of the action between Greatorex & Co. and the defendant, judgment was given for the plaintiffs. The defendant then applied for a new trial on what appears to me very insufficient grounds. The judge ordered a new trial, on the ground that the case fell within section 89 of the Judicature Act, 1883, and order 57 of the Rules of the Supreme Court, and ord. 27, r. 13, of the County Court Rules; but he had already decided that the two claims were not in respect of the same subject-matter, and he had found for the plaintiffs on their claim. I am of opinion that he had no jurisdiction, under the circumstances, to grant a new trial, and that his order must, therefore, be set aside.

WRIGHT, J.—I am of the same opinion. It is clear that the enactments relied on by the county court judge have no application to the present case. He seems to think that wherever two auctioneers claim commission in respect of the sale of the same house the matter is one for interpleader. That is not so. In this case there were no opposing or conflicting claims adverse to each other; there were separate claims to different sums of money. I think, therefore, that on the facts before the learned judge, he had no power to order a new trial. Appeal allowed.—COUNSEL, *Moyses; Cagney; Ernest Pollock.* SOLICITORS, *Albert Myers; Arthur Cayley; Bell, Brodrick, & Gray.*

[Reported by T. R. C. DILL, Barrister-at-Law.]

KERSHAW *v.* **TAYLOR**—17th June.

METROPOLIS MANAGEMENT ACTS—NUISANCE—DRAIN—SEWER.

This was a special case stated by a metropolitan magistrate. The respondent was summoned by the appellant, a sanitary inspector, for that there existed at the respondent's premises, known as "Avon," Tankerville-road, Streatham, by reason of the default of the respondent, a nuisance—namely, a foul and defective combined drain and house drains connected therewith. The respondent's house was built in 1887 by a Mr. Gatfield. Previously to its being built Gatfield gave notice to the local board of his intention to build six semi-detached houses in Tankerville-road, and attached to the notice was a plan of the proposed system of drainage, which shewed that each pair of houses was intended to use one drain. On the 31st of August, 1887, the board passed a resolution approving the plan, and the building of the houses was forthwith proceeded with by Gatfield, and shortly after completed. At a subsequent date the respondent acquired "Avon," one of the six houses. In October, 1894, a nuisance was found to exist at the house "Avon" owing to defective drainage, and the appellant served the respondent with formal notice requiring him to abate the nuisance. The respondent had the ground opened for the purpose of complying with the notice, and it was then discovered by him for the first time that his house and three of the other houses built by Gatfield all drained into one drain. The respondent thereupon refused to proceed with repairing the drain beyond the point where it received the drainage of the other houses, on the ground that it was a sewer. A further notice having been served upon the respondent and not complied with, the present summons was taken out. By the Metropolis Management Act, 1855, the duty of repairing sewers lies on the sanitary authority, that of repairing drains on the house-owner; and by the same Act a drain which, without an order of the sanitary authority in that behalf, drains more than one house is a sewer. It was contended for the appellant that the resolution of the local board of the 31st of August, 1887, was an order authorizing a combined system of drainage. On behalf of the respondent it was contended that there had been no such order as suggested, and that, even if there had been, the system of drainage executed by the builder had not been approved by the board, and that the drain in question was a sewer. The magistrate dismissed the summons, subject to this case.

THE COURT (WRIGHT and KENNEDY, JJ.) dismissed the appeal.

WRIGHT, J., said that the sanitary authority had no remedy against the respondent. If it had been known at the time what the builder was doing, there would have been a remedy against him under section 73 of the Act of 1855, and if he could be found now he could be dealt with under section 83 for having improperly made or altered a drain. The present application against the respondent had been made under a section which only applied to drains, whereas it was clear that this was a sewer. There was no ground for the contention that the respondent was estopped from saying that it was a sewer. There was no pretence for saying that the respondent had been a party to any representations made by his predecessor, the builder, and, as a matter of fact, no such representations had been made. The builder had only improperly constructed the drain in such a way that it became a sewer.

KENNEDY, J., concurred. Appeal dismissed.—COUNSEL, *Channell, Q.C.* and *Earle; R. M. Bray.* SOLICITORS, *Young & Sons; Griffinhoofe & Brewster.*

[Reported by F. O. ROBINSON, Barrister-at-Law.]

CASES OF LAST SITTINGS.

High Court—Chancery Division.

Re **NOTTAGE, JONES** *v.* **PALMER**—Kekewich, J., 23rd May.

CHARITY—GIFT TO YACHT CLUB TO PROVIDE A CUP—MORTMAIN AND CHARITABLE USES ACT, 1888 (51 & 52 VICT. C. 42), S. 13.

The testator in this case by his will, in addition to other legacies, made a bequest in the following terms:—"I bequeath to the Yacht Racing Association of Great Britain, out of such part of my estate as may be legally bequeathed for such a purpose, the sum of £2,000, the same to be invested in the names of three trustees to be approved of by the council of the said association; . . . and I direct that the trustees to be so appointed as aforesaid shall, out of the annual income of the trust fund, purchase annually a cup, to be called 'The Nottage Cup,' which is to be given to the most successful yacht of the season of over nineteen rating; . . . the council of the said association shall decide annually which yacht has, in their opinion, the best claim to the cup, and in the event of there being any difference of opinion . . . the said council may, if they think fit, order the said cup to be specially raced for. My object in giving this cup is to encourage the sport of yacht racing; and I declare that, in the event of the Yacht Racing Association being dissolved or ceasing to exist, the trustees of the said fund shall pay and make over the same to three trustees to be appointed by the council or committee of the Royal Thames Yacht Club, by whom the said fund shall be held upon similar trust to those hereinbefore declared with regard to the purchase of a cup to be called "The Nottage Cup." Upon the question coming on for argument as to whether this gift was valid, it was contended on behalf of the Yacht Racing Association that the gift, while possibly not a charity within the words of the Statute of Elizabeth, was, nevertheless a charity in a legal sense falling within the fourth main division of the definition of "charity" given by Lord Macnaughten in the Moravian case in the House of Lords, *Commissioners, &c., of the Income Tax* v. *Pemsel* (1891, A. C. 531 (see p. 583), 40 W. R. Dig. 217). Against this it was contended that the bequest, being merely for the purpose of encouraging yacht-racing, did not constitute a charity, although it was quite possible that it might indirectly benefit the community at large.

KEKEWICH, J., said that it was with very considerable regret that he felt himself compelled to hold that this was not a good gift in law. By the terms of the gift it was clearly shown that the testator intended the annual dividends of the fund to be applied in perpetuity: it was a trust to provide a cup which was to be presented annually for ever, and consequently must fail, unless it could be shown that the object was a "charitable" one. On that point—whether or no the gift was a charitable one—his lordship confessed to having had considerable doubt, because he thought that beyond all question the building of yachts and the employment of a large number of persons in building and sailing them was of great public advantage, and that the gift so far came within the words used by Lord Macnaghten in *The Commissioners, &c., of the Income Tax* v. *Pemsel*, in the House of Lords, as being a trust "for purposes beneficial to the community." Anything which promoted the maritime influence of England must be for the benefit of the community, and therefore, if his lordship could see his way to holding that such benefit to the community was the direct object of this gift, he thought he would be right in holding it to be "charitable," just as Romer, J., had, in the recent case of *Ali* v. *Lord Strathcden and Campbell* (42 W. R. 647; 1894, 3 Ch. 265) held a gift to a volunteer force so to be, not because such a force came within the words of the statute, but because they were directly beneficial to the community at large. How could his lordship say that the object of this gift was directly beneficial to the community? The testator's object here was, in his own words, "to encourage the sport of yacht-racing," and the fact that for yacht-racing yachts must be built and work given to a large number of people in their building and sailing, though an indirect result, was not the testator's direct and immediate object. That being so, his lordship was unable to hold that a gift for the encouragement of yacht-racing was beneficial to the community in the sense in which that phrase was used by Lord Macnaghten and the other learned judges. The benefit of the community was not the direct necessary result of the gift; and though far from saying that, in a sense, it was not beneficial, his lordship could not hold that it was beneficial in such a sense as to constitute a charity, and therefore the gift failed.—COUNSEL, *Warrington*, Q.C., and *Kenyon Parker; Pattullo, Freeman, Peek*, and *Faweus*, for other parties. SOLICITORS, *Lake & Lake; Neish, Howell, & Macfarlane.*

[Reported by C. C. HENSLEY, Barrister-at-Law.]

Winding-up Cases.

HERBERT STANDRING & CO. (LIM.)—Vaughan Williams, J., 22nd May.

COMPANY—WINDING UP—PETITIONING CREDITORS' DEBT—SMALLNESS OF DEBT—COSTS—COMPANIES ACT, 1862 (25 & 26 VICT. C. 89), SS. 79, 80, 82.

The above-named company was incorporated in March, 1894, as a company limited by shares. The nominal capital of the company was £4,256, divided into 5,006 shares of 1s. each and 400 £10 debentures. The petition alleged that 5,000 of the shares were issued as fully paid up to one person, and the remaining six 1s. shares to six other persons, and that the 400 debentures were also issued. The petition was a creditor's petition for winding up by the court, alleging that the company was indebted to the petitioners in the sum of £11 0s. 5d. for balance of an account rendered for the price of goods supplied and delivered; that on or about the 13th of March, 1895, the petitioners commenced an action in the Mayor's Court, London, against the company for the recovery of the said sum of £11 0s. 5d.; that the company did not appear to the plaint, and on the 23rd of March the petitioners signed and recovered judgment for £11 0s. 5d. and £2 5s. 2d. costs, and removed the judgment for the purposes of execution into the High Court of Justice, the costs of such removal being fixed at £1 6s.; that on the 26th of March the petitioners issued a writ of *fi. fa.* upon the judgment to recover the said sums, with £1 2s. 6d. for the costs of execution; that on the 19th of April, 1895, the sheriff returned the writ unsatisfied. The petition then alleged that the said sums were still due and owing to the petitioners from the company in addition to a sum of £10 3s. 11d. for goods sold and delivered, making in all the sum of £24 15s. 6d.; that the company was unable to pay its debts; and that it was just and reasonable that the company should be wound up. The petition was presented on the 4th and served on the 6th of May. The question was whether the court would, in its discretion, make a winding-up order notwithstanding that the debt was so small, or whether the court would adopt the analogy of the bankruptcy law, under which a creditor is not entitled to present a bankruptcy petition unless the debt amounts to £50, or the analogy of section 80 (1) of the Companies Act, 1862, which requires the demand served by a creditor to exceed £50. On behalf of the petitioners it was said that there is nothing in the Companies Act, 1862, to preclude a creditor for less than £50 petitioning, and that though the court had a discretion in the matter, the present case was one in which a winding-up order ought to be made. On behalf of the company it was said that the petition should be dismissed. In the cases cited where winding-up orders had been made on the petition of a creditor with a debt under £50 the company's insolvency had been admitted, whereas in the present case it had been shewn affirmatively that the company was not insolvent, and that it was in a prosperous condition and quite able to pay its debts. The following cases were referred to: *Yate Collieries Co.* (W. N., 1883, p. 171), *The London and Birmingham*

Alkali Co. (1 De G. F. & J. 257), and *Re Milford Docks Co.* (31 W. R. 715, 23 Ch. D. 292). The petition stood over for a week on an offer by the company to pay the petitioners' debt and out of pocket expenses,

VAUGHAN WILLIAMS, J., saying that if in future petitions for winding up were presented for such small debts as the debt in the present case, he should either make no order, or he should make an order without costs.—COUNSEL, *E. Clayton; Gore Browne.* SOLICITORS, *McKenna & Co.; Desborough, Son, & Prichard.*

[Reported by V. DE S. FOWKE, Barrister-at-Law.]

LAW SOCIETIES.

SOLICITORS' BENEVOLENT ASSOCIATION.

ANNUAL FESTIVAL.

The thirty-fifth Anniversary Festival of the Solicitors' Benevolent Association was held on Friday the 21st, at the Hotel Métropole, Sir Richard Nicholson, presiding. Among the guests were Lord Justice A. L. Smith, Mr. R. McLeod Fullarton, Q.C., Mr. John Hunter (President of the Incorporated Law Society, U.K.), Mr. H. C. Beddoe, J.P. (Hereford, Chairman of Board of Directors), Mr. R. Pennington, J.P., Mr. Alderman Beachcroft, L.C.C., Mr. G. Pallen, (President Manchester Incorporated Law Association), Mr. W. Melmoth Walters, Mr. Gray Hill (Liverpool), Mr. J. T. Atkinson (President Yorkshire Law Society), Mr. Sidney Smith, Mr. Samuel Harris (Leicester), Mr. F. T. Woolbert, Mr. F. P. Morrell (Oxford), Mr. F. W. Imbert-Terry, Mr. Stanley Chapman, M.C.C., Mr. Godfrey Rhodes (President Halifax Law Society), Mr. J. V. Musgrave, Mr. W. Beriah Brook Mr. A. G. Taylor (President Derby Law Society), Mr. Bourchier F. Hawksley, Mr. A. J. Beauchamp (President Worcester Law Society), Mr. H. Morton Cotton, Mr. W. F. Blandy (Reading), Major Gundry, R.A., Mr. T. J. Pitfield, Mr. M. Rawlins, Mr. Grantham R. Dodd, Mr. Augustus Helder (Whitehaven), Mr. R. L. Allen, Mr. F. W. Sturley, Mr. R. W. Tweedie, Mr. Henry Atlee, Mr. C. W. Sawbridge, Mr. T. Llanwarne (Hereford), Mr. W. J. Humfrys (Hereford), Mr. R. L. Devonshire, Mr. F. K. Metcalfe, Mr. C. Gasquet, Mr. Harry Woodward, Mr. R. W. Dibdin, Mr. R. L. Fulford, Mr. J. E. Stephenson, Mr. J. L. Johnson (Liverpool), Mr. J. A. Nicholson (York), Mr. G. R. Burn, Mr. A. J. Harris, Mr. J. A. Collins, Mr. M. A. Tweedie, Mr. John Shaw, Mr. W. Smail, Mr. E. Pye-Smith, Mr. G. L. Stewart

The loyal toasts having been given from the chair,

The CHAIRMAN proposed "The Bench and the Bar." He remarked that the Lord Chancellor had said on a recent festive occasion that the bench were the inheritors of a great tradition. The confidence of the public in the judges had become an increased quantity; they felt that the judges were men of high attainments, men of the highest probity, who sought to do right to all manner of men without fear or favour or affectation. That was the opinion of the public, and that, he thought, was the opinion which solicitors, who were fairly good judges, endorsed in every way. No doubt they sometimes thought that judgments were not exactly those which should have been given; but then they could go to the Court of Appeal, amongst the members of which was their distinguished guest, Lord Justice A. L. Smith, and they felt that they would have an upright judgment, however much they might dislike a judgment given upon the facts and law of the case; and then those who were satiated with a desire for litigation were very often content with whatever they got in the Court of Appeal. But there were certain gentlemen who, in the interest of their clients, thought it better go to the higher court, the House of Lords, and there, no doubt, they got the judgment of very eminent law lords, which might, or might not, satisfy them. At all events, it could not but be said that justice in this country was thoroughly thrashed out. He had no doubt there were many members of the profession somewhat dissatified with the present position of business. It especially affected those who practised in the Common Law Courts, and was, he thought, to be attributed to the diminished trade of the country. With the toast was associated the name of Lord Justice Smith, who, in his position as Lord Justice, had eclipsed his great popularity when at the bar by the able way in which he had discharged his duties as Lord Justice. The bar contained within it men as able to fill the positions which were in prospect before them as they had been filled in the past. He was one of those who believed that there were as good fish in the sea as ever were caught out of it; and the same qualities which had brought men to the front in the past would prevail in the future. He did not at all look forward to the time when the bench would not be filled by as able men as had filled it hitherto.

Lord Justice A. L. SMITH responded for the Bench. He said he had accepted the invitation to be present with great pleasure, because he knew that by coming there he would meet some of his old friends and acquaintances to whom he owed a debt of gratitude he could never pay. If it had not been for them he would not have been in the position he now occupied. He admitted it was some time since they parted—twelve years—but, although they were parted, he had never forgotten them, and he could not help saying so, because it had been said that when a man was put upon the bench he crossed the River Lethe and left his boat behind him. He had striven with all his might and main to dam that river, and he had found himself absolutely defeated. He would tell them the reason. He had been twelve years on the bench, and ought to be able to tell them the judge's life was about as monotonous a life as a man could live. Every morning, excepting the Long Vacation, barring Christmas, Whitsuntide, and Easter, he had to go down to the court, when he was at once put into a band-box with ushers and so on around him, the door was locked, and he was put on the bench, and he was allowed to say nothing unless it was pertinent to the case, and as to what was going on in the world around he knew absolutely nothing. During those five and a half hours when he was boxed in the court, murder might go on in the next court, and he would read it in the evening papers. At four o'clock he was turned out, the sweepers of the Royal Courts of Justice came in, and, if he wished to stay for an hour to look at some papers, he would find a man come in wearing his apron, and say, "My Lord, I am very sorry." He was expected to be gone, and he was gone shortly after four. He wanted to point out why the River Lethe runs. The judge was put into such a different curriculum to that of his old friends that they never met. He did not meet them going down in the morning, he could not meet them during the day, and at four o'clock when the judge went home—it was not always to rest, but sometimes to work—the men whom he did know were not on the same road and going the same way. The only persons he did meet were Her Majesty's judges. Well, one could see too much, even of a judge. That was the reason why he had said that by all means he would come there to meet his old friends who were sitting close to him. During these twelve years he had not lost his keenness for the profession of the law. He might be allowed to say that the judge who had an interest in his work had the greatest interest in the law, and one of the things which caused him the greatest regret was to see that the suitors were not coming in his court. And they did see every one of them—he was not speaking of the Court of Appeal, because no one knew better the deficiencies of the Court of Appeal than he did—that this was the case. Anyone could see that the law was not coming into the Queen's Bench Division as it ought. One asked oneself why this should be. Whether he was a judge or a barrister, or a solicitor or a clerk, he must ask himself why this should be. In these circumstances everyone cast about to find an answer. Some were for tinkering with the Long Vacation. Allow him to say—he had been twelve years on the bench and thirty-five at the law—tinkering with the Long Vacation would not get them work. That was all nonsense. The next question would be, was it that the judges of the Queen's Bench Division were worse than they were thirty-five years ago? He said with the greatest certainty that they were not. Although possibly the Queen's Bench Division of the present day had not a Blackburn, a Bramwell, or a Willes, he asserted with regard to the Queen's Bench Division of fifteen judges, headed by the present Lord Chief Justice, that never were better men than they numbered as a body, and he defied anyone to dispute that. As regarded the judges in the Chancery Division, it was notorious that it was extremely well manned. Yet in the Queen's Bench Division suitors did not come. No one could say the reason was because of the incapacity of the judges, or because the courts were full, and they could not get justice within reasonable time. A man could take his cause to the Queen's Bench, take it through the Court of Appeal, and go to the House of Lords in a time which thirty-five years ago was never dreamt of. He said that the real reason was the poverty of the nation. He admitted that if one read of the sale of celebrated pictures at Christy's, or the sale of celebrated horses at Tattersall's, one would say that people had plenty of money; he agreed that in some instances there was more money than brains. But he asserted that taking the population of the country, beginning at the peer and ending at the peasant, it was essentially poorer than fifteen or twenty years ago. And they might be certain that where poverty comes in at the door, law jumps out of the window. He was talking of litigious law. The Chancery Division would always be kept up to a certain pitch because people would die, and there must be administration going on. But they must not lose heart. Poverty had been in the past, and poverty would be in the future; but he had no doubt that if they could manage to keep breath in their bodies they would see the good old times with litigants coming into the Queen's Bench Division again. He must be allowed to say one thing on which he laid the greatest emphasis, he believed there was a blot in the Common Law Division which did more harm than any other twenty which could be selected. Considering the rules which were laid down for the taxation of costs, no litigant could go into the Common Law Division and recover £200 or £300 without having to put his hand into his pocket and pay considerable costs. That stinks in the nostrils of litigants. Let him, for the welfare of those he was addressing and for the welfare of the bench, because the one depended upon the other, and if the solicitors did not bring the bench work they would be nowhere—let him say that the great point in the Common Law Division was to get rid of that infamous rule of taxation of costs between party and party. It was tried to be done by a Commission on which he sat two or three years ago, but, he admitted it, they were too stringent. Mr. Pennington had come to him on one or two occasions about it, and he agreed with him that the rules laid down for getting rid of those infamous party and party costs were too strict. The Commissioners were right in their principle, and the man who goes to law and wins ought to come out scatheless. As things were, he was sitting as judge, and he decided a case with a jury. A plaintiff sued a man for £300 which the scoundrel would not pay and, being an obstinate fellow, fights it. The plaintiff recovers his £300; how much would he have to pay out of his own pocket in order to get it? Was it to be expected that a man who had been treated like that would go to law again? Certainly not. As a typical case he might mention that of a great friend of his own who bought a big estate in Hampshire, and he bought it because he was a great fisherman and the River Loddon ran through the estate. He would never have bought it without the river, which was a trout stream, and he had the exclusive fishing he was told. He got there, and there was a litigious person on the other side who would fish. So he went to law to clear his title, and the person resisted. The case was tried before Mr. Justice Mathew, and it required considerable investigation into old documents. It went to the Court of Appeal, and the Court of Appeal unanimously confirmed Mr. Justice Mathew's decision in favour of the plaintiff, who was absolutely right, and the other man absolutely wrong. It cost him about £900 to £1,000 to win his case. Could anything be more monstrous than that? Was it to be supposed he would ever go to law again! He (Lord Justice Smith) knew he would not, because whenever

they met, he always brought it up, and said, "Well, have you altered the law?" and he replied, "I have not altered the law, because the solicitors will not let me." They would not allow the judges to alter it. He agreed they were right in not allowing them when their terms were too stiff. There were many young men present, and he urged them to look to this, and to alter it if they were going on the Common Law Division. Let the suitor go into the Common Law Division and try a litigious action before a judge and jury, and when he had licked his opponent, let him make his opponent pay. He (Lord Justice Smith) believed that then, when trade flourished again, which he had no doubt it would do, law would come again into the Queen's Bench Division. That rule of taxation between party and party had been framed on the wrong principle from beginning to end by the judges who were parties to it in ancient times, or at any rate mediæval times. They had alway been trying to aim at this, that an action in the Common Law Division should be done cheaply. That was a mistake, and he did not care who contradicted him. It never was intended that the great machinery of the Queen's Bench Division should be put into work and gear to try a common law action on the cheap and nasty principle. They must all have a living wage, whether it was the clerk or whether it was the master, or whether it was the counsel. And it was never intended that Jones, Brown, and Robinson should dodge in and out of the Queen's Bench Division, paying half-a-crown for the privilege. Taxation should be on the principle that every man should live, and costs should be allowed on that scale, and the man who lost should pay the piper. He believed this to be one of the greatest blots in the Common Law Division.

Mr. R. W. McLeod Fullarton, Q.C., returned thanks on behalf of the Bar. He said his experience was that no litigant was surprised at having to pay costs when he lost his case. What litigants were surprised at was, having to pay costs when they won. There was all the difference between the two positions, and he urged that it was putting the pack on the wrong horse to put costs upon the winning man. The losing man expected to pay; it was a part of the game; but the winning man expected to win, not to lose, and many litigants were very much surprised to find that when they had won they had lost. That was the delusion they went into law with, and that was the reason why they did not go to law again. He was, to his misfortune, connected mainly with that division, and he could only say that no one could doubt that the business had most seriously falling off, especially in the heavy commercial line to which he partly devoted his attention when he was preparing for service in that division. He agreed with the Lord Justice that it was not because of the want of ability and knowledge of the law of the judges that the business had fallen off; but at the same time there was no doubt that when the Common Law was administered in different courts, so to speak, it became a more articulated machine than it was now, and the Court of Common Pleas became a kind of test court apart, proud of its eminence in the trial of heavy commercial work. And whenever there was a vacancy on its bench a man at the bar was selected to fill that vacancy who was particularly notable in that department, and that court did unquestionably maintain an amount of merit which was astonishing, and litigants rushed their heavy cases into the Common Pleas with a certainty that, whichever judge of that division they might come before, they were coming before an expert in the law. When all the courts were licked into one, he did not think it became more articulate, and there was an uncertainty as to which judge a case would come before, allowing that all were not equally proficient in every department of law. It became uncertain whether it would come before a judge particularly skilled in the department to which it belonged. He could only congratulate the profession that they had so able a judge as Mr. Justice Mathew to try that class of cases again. He would venture to say that in the good old times with such men as Mr. Justice Williams, Mr. Justice Byles, and all the other eminent men who sat in that court, there was not one of them before whom any litigant could go to try a heavy commercial case with more certainty of quick despatch and sound knowledge of law than Mr. Justice Mathew. If the public reaped the benefit of the step that had been taken, that was the great thing; and he believed the public would reap a larger benefit than would the barristers. The public would find that their business was taken before a judge competent to hear every case so to speak like an arbitrator, without the expensive formalities of law, and looking past the pleadings and all those expensive proceedings, settle it shortly, quickly, and with comparative cheapness. But, all the more they sought to eliminate those parts of the expense of litigation which could be eliminated without serious damage to the case, all the more should those parts which remained and which were essential to the just trial of a case be adequately remunerated. Adequate remuneration was a necessary condition of thoroughness and efficiency, and in the profession of the law it must be maintained, otherwise the profession of the law would go down. With regard to the relations more particularly between the bar and solicitors, he happened to have a large personal connection with people who belonged to both branches of the profession. He was in the fortunate position of being a common law lawyer who had a second string to his bow, and in the Privy Council he had come across a very large number of gentlemen from Canada and other parts who practised at once as members of the bar and as solicitors. He had carefully gone into the question with them as to the advantages or otherwise of fusion, and all of them had said that although in their own country they found it desirable and thought it worked well there, on coming to England and seeing how the two professions worked here side by side, they would by no means advise that their example should be imitated here. He was inclined to agree that this was an old country and more highly organised, and the more highly organised labour became, the more it differentiated and specialised itself. Although he did not think there was anything to be gained by linking the two together and confounding all the old distinctions, he did think there was most healthy communication between the two great branches of practising lawyers. There was no line drawn, no impassable river flowing between the solicitors and the bar. In his experience solicitors had come to the bar, and in due course of time to the bench, to become its most distinguished ornaments. When he thought of Lord Field, Mr. Justice Manisty, and many other gentlemen who began as solicitors and won the highest honours, it must be admitted the bar received most cordially and willingly any aspirants the solicitors chose to send up. On the other hand, he had had personal knowledge of very many at the bar who had to their own great gain and profit found a place in the ranks of the solicitor branch of the profession. This he considered a healthy interchange of blood between the two branches of the profession, and one of the links which he believed to be much more desirable than fusion. Moreover, they were blended together by common interests. When the bar lost, solicitors lost, and when solicitors lost, the bar lost. They gained and they lost together. When times were bad for solicitors they were bad for the bar, and *vice versâ*. These great common interests effectually bound them together in such ties as could not be broken. He hoped that although the two branches might continue to remain nominally distinct, they would always continue to interchange individual members amongst each other, and would always evince a fraternal interest in the success and prosperity and good working of each other.

Mr. Alderman Beachcroft, L.C.C., proposed "The Incorporated and other Law Societies in England and Wales." He remarked that England and certainly London were distinguished above all places for their regard for the voluntary system as apart from State-aid in regard to societies such as the Solicitors' Benevolent Association. The Law Society, and the other societies in England and Wales, might be described as the trunk and branches of the Solicitors' Benevolent Association. Whilst the Law Society attended to the requirements of solicitors who were more or less well up in the world, the Solicitors' Benevolent Association gave its consideration to their fallen brethren, and in that direction they naturally looked for the Law Societies to support them. The Law Society was well represented to-night by Mr. Hunter, its president, and they all knew how much they were indebted to him for the action he had taken with respect to the Land Transfer Bill. He (Mr. Beachcroft) was sorry to have to confess that the London County Council had not endorsed that action, but that on the contrary they had passed an almost unanimous vote in favour of the Bill.

Mr. John Hunter, President of the Incorporated Law Society, in returning thanks said, that all the executive powers of the society were vested in the council, and whatever credit might be due for any work must fall upon the shoulders of the council and not on the society at large. Therefore, as a representative of the council it was very gratifying to him to find that so hearty a welcome was given to the toast. That they were well entitled to have some thanks from the profession he had no hesitation in saying. They spend a good deal of their time in looking after its interests in every possible way. They spend a great deal of their time in resisting the attacks of poachers from outside, who were continually attempting to trespass upon the business of which solicitors claimed that Parliament had given them a monopoly. But there were some serious encroachments threatened against the solicitor branch of the profession by different departments of the Government. During the year that he had been in office, about half his time had been occupied in correspondence with the Board of Trade and the Lord Chancellor, and others, endeavouring to stave off the attacks which were threatened against them under the name of officialism. They had scarcely got to the end of them when there was a renewed attempt by a department of the Government to transact the most important part of the business of which at present they had a monopoly—that of dealing with conveyancing transactions, and which the Government were endeavouring at present to transfer from solicitors to an establishment to be created by the Government. They had challenged the Government over and over again by saying, "Give us a fair field and no favour and we will beat you. We will undersell you in cost and beat you in expedition and facility." But the Government could not see their way to drive the solicitor out of the field unless they could by Act of Parliament prohibit people altogether from using the system that solicitors recommended and compel them to use that which the Government recommended. He had been sitting for the last four weeks, twice a week, either giving or listening to evidence before a Committee of the House of Commons on the subject. And the great tendency of the questions had been, "Do not you think it a very fine thing for the public, and will they not be gratified if this transfer can be effected for 5s., or that mortgage for 10s.?" And he had said to the gentlemen on the committee, "This 5s. and 10s., and the rest of the shillings you are talking about, are not a substitution for the costs you pay us. They are in addition to the costs. If any body wants to do his own business now, he could do it for nothing. He has only to pay the stamp duty." If he liked to prepare the conveyance it was simple enough. There were very few mysterious conveyances now-a-days. He was quite sure it was as easy to prepare a conveyance as to carry out transactions in the Land Registry, the instructions to enable one to do which involved twenty or thirty pages of print, and which he had very little hesitation in saying he thought the managers knew very little more about than the people outside. A considerable part of the time of the council was taken up in endeavouring to rid from their ranks those who were a discredit to the profession, and who were the cause of solicitors being thought badly of by many people, and another part was used in resisting the attacks of the Government. He rather regretted to hear from Mr. Alderman Beachcroft that the London County Council had passed a resolution that they were strongly in favour of the new system of land transfer. All he could say was, that if any members of the county council appeared before the committee he would endeavour to extract from them an admission he had heard extracted from several of the witnesses, beginning with the Lord Chancellor, that they knew nothing about the subject. Lord Justice Smith had referred just now to several reasons why business had fallen off in the Queen's Bench Division, but he had not referred to one reason which he (Mr. Hunter) believed to be the greatest, and that was the

enormous quantity of time that was occupied in discussing questions that had no real bearing upon the ultimate issue, questions arising upon the interpretation of a book that was commonly called "the infernal White Book," which was the plague of everybody, certainly in the solicitor branch of the profession, and in every other branch, even up to the gentlemen who sat on the bench. For his own branch of the profession, they had been accustomed for a long time to submit to be called the lower and less important branch of the profession. But at the present time two of the most important positions in the English-speaking world were occupied by solicitors, and he thought it was not unfit to refer to that at a meeting when they were called upon to think of the members of the profession who had failed. It was worth while recollecting some of the members who had succeeded beyond all precedent. At the present time, the Secretary of State, who was responsible for the good government of millions of our fellow-subjects in India, had been a practising solicitor all his life, and was a colleague on the council of the Law Society. On the other side of the Atlantic, the man who occupied a still prouder position—President Cleveland—had been for a great many years a practising solicitor. He never had been a member of the bar, but purely a solicitor. During the interval that elapsed between his two terms of office, when he ceased to be president from the time till he was elected president a second time, he again attended to the work in his office, and he (Mr. Hunter) was continually in correspondence with his firm upon the ordinary matters of business which arise in a solicitor's office. When men were found occupying such positions as that who had sprung from the rank and file of solicitors, the time had almost come when theirs might cease to be called the lower branch of the profession, and in view of the dismal position which he had found this evening to be that of a gentleman who had arrived at the dignity of being a judge, not only of the High Court but of the Court of Appeal, he was inclined to think solicitors were a great deal better off.

Mr. G. P. Allen, President of the Manchester Incorporated Law Association, returned thanks for the other law societies. He observed that the provincial law societies did not forget that there was such a society as the Solicitors' Benevolent Association. He suggested that the chairman of the association for the time being should make it his duty to communicate with each of the presidents of the country law societies, urging upon them the needs of the association. He attributed one of the causes of the falling off of business in the Queen's Bench Division, particularly as far as Liverpool and Manchester were concerned, to the fact that they were not allowed to deliver pleadings in the Long Vacation. The law should be altered so that actions could be continued during the Long Vacation as if it did not exist. In Liverpool and Manchester there would be a great number of actions entered, and the result would be that the autumn assizes would be as busy as the spring and summer assizes. The legal business of the country ought not to be allowed to stop practically from the beginning of August until the end of October. That was where the real mischief of the whole thing, in his opinion, arose; and if it were altered, it would be found that there would be a great accretion of business in the Queen's Bench Division.

The Chairman gave the toast of the evening, "The Solicitors' Benevolent Association, and may prosperity continue to attend it." He thought that all honour was due to the men who instituted the association originally, and especially honour was also due to those who managed its affairs. Its directors were men largely engaged in business, whose time was of value to them, but who did not in any sense begrudge their time in order to advance the interests of the association; and he would particularly say how much it was indebted to the good services of its secretary, Mr. Scott. The association was established in 1858, and in 1861 it made its first distribution, which amounted to the modest sum of £10. In 1871 it distributed £907. In 1881 the amount had risen to £2,228, and in 1891 to £3,683, and since this time last year the association had expended no less a sum than £4,286 in relieving the necessities of those for whom it was instituted. To sum up, the sum of £70,000 had been granted in aid of their necessitous brethren since the establishment of the association. That was a great work to achieve, and it must have relieved much of that painful necessity which they all regretted should exist. But he did not think that all had been done which might have been done to help the association. There were 15,000 solicitors upon the rolls, 7,000 of whom were members of the Incorporated Law Society, but there were 12,000 members of the profession who were not subscribers to the association. He could not think that this was known to solicitors generally. He did not see why every solicitor who was a member of the Incorporated Law Society should not also be a member of the association. He had received a letter from Mr. Hollams, who had been a most munificent contributor to the funds in the past, enclosing a cheque for £25, and he said, "It is lamentable that the society is not more generally and more liberally supported. It is a reflection upon the profession." Mr. Hollams had set an example which each one of them in their particular way might, with great advantage, follow. He had contributed no less than £2,500 to the association, and there were many others who had been most liberal contributors. It was sad to know that there were any members of the profession who should need aid. The subscriptions to the association amounted to £2,000 a year, and the income from funds to something like £1,700. Those who had taken the chair at these annual festivals had, one and all, lamented that which he had to lament also, that the association had not been more liberally supported. And yet no one had been able to suggest what course should be taken to augment the subscriptions. He had ventured to ask Mr. Hunter to send out an appeal to the members of the Incorporated Law Society, and he hoped that appeal would result as might be expected. He could not conceive any duty which called more loudly for the attention of those who were happily placed in the profession, and who did not look forward with the fear that they would ever require aid, than that they should support the association, and should advocate it as best they could amongst their friends and acquaintances. Poverty in any case was bad enough, but falling upon men brought up as members of a liberal profession, who, from no fault of their own, had not succeeded in it, and who had therefore been reduced to appealing for assistance, it was doubly lamentable. He would address himself particularly to the younger members of the profession, and would ask them to come to the help of the association. They all knew how admirably the funds were administered, every case was carefully investigated by the directors; and when they looked at the list of directors they would see that any work which devolved upon them would not be likely to be lightly undertaken or lightly discharged. The necessities of the profession, having regard to the state of trade, were not likely to decrease, but, on the contrary, they were likely to increase, and a good many members had been lost to the association by death during the year who had been liberal contributors to the association. He hoped that there might be forthcoming on this occasion liberal contributions which would enable the association substantially to extend the sphere of its operations.

The Secretary (Mr. J. T. Scott) announced subscriptions and donations to the amount of £690, amongst which were the following:—The chairman, £52 10s; Mr. John Hollams, £25; Mr. W. T. Lawrence, £25; Mr. Henry Atlee, £21; Mr. R. J. Peed, £21; Mr. Melmoth Waters, £21; and Mr. F. L. Hutchins, £20.

Mr. H. C. Beddor, Chairman of the Board of Directors, proposed the health of the Chairman of the evening. In the course of his remarks he stated that the association exercised a wise discretion in funding the moneys received at these festivals, and from legacies, instead of appropriating them at once. Had they not done so, it would have been simply impossible to have distributed as they did last year £4,000 in donations. He was sorry more members of the profession did not belong to the association, because it operated as the best insurance fund on the mere ground of pounds, shillings, and pence if a member left a widow or children unprovided for. The directors naturally always looked on the cases of widows and children of members with a more favourable eye than upon those who had not contributed in any way to the funds. Every care was exercised by the directors in dealing with applications to prevent the association being imposed upon.

The Chairman having briefly responded, the proceedings terminated.

A selection of vocal and instrumental music was admirably performed, under the direction of Mr. Fred. Walker, by Madame Marie Mallia, Miss Hannah Jones, Mr. Arthur Wilson, Mr. Geo. Stubbs, and Miss Jeanne Levine (violin); at the pianoforte, Mr. Alfred Izard.

THE SELECT COMMITTEE ON THE LAND TRANSFER BILL.

[from our own reporter.]

Mr. Lake's Evidence Concluded.

The Select Committee of the House of Commons upon the Land Transfer Bill, 1895, sat again on Thursday, the 20th, Sir R. T. Reid (Attorney-General) presiding.

Mr. B. G. Lake, continuing his evidence, handed in resolutions from the Nottingham and Midland Counties Permanent Benefit Building Society, the West Bridgford Freehold Land Association, and the Thorneywood Freehold Land Association disapproving of the Bill, in that it would, in their opinion, fail to confer benefit on such societies, and that it would increase expense and cause delay, and work prejudicially to the working classes.

Mr. Haldane, Q.C.: Do you think it right that a system should continue to exist if the defect can be obviated under which the same title has to be investigated over and over again on each transaction, and under which it is necessary, it may be, to go to a great distance to examine deeds?—He did not admit the assumption. It was not in practice done.

I put the case of a property which is purchased; the title is investigated, and the property changes hands; a new set of solicitors come in; the title is investigated again. There is a mortgage, perhaps, a few months later, and the title is again investigated; and there are ten or twelve investigations in half that number of years.—He did not believe that any solicitor of experience would, in the case which was put, have these investigations of title. The reason why there was so much really scandalous investigation of title sometimes before 1881 was that Parliament insisted upon limiting the way in which solicitors should be paid, prescribing that a man should be paid, not in proportion to the work he did or the skill and experience he possessed, but according to the amount of copying he could get his clerks to do. It could scarcely be supposed that a man who understood conveyancing would sit down for two days to reduce a draft when the only effect would be to reduce his fees.

By the Hon. W. F. D. Smith: The Australian system, so far as he could ascertain, was working very easily. Of course there were great differences between that and the proposed system. One of these difficulties was that they had to have separate deeds in cases of restrictions which were not on the register.

By the Chairman: The sole objection was to compulsion.

You approve of registration of title, and think that a good system is obtainable, but that the Bill does not provide so good a system as you wish for.—That is my position. The Australian system was in many respects much better. The system, so far as he could ascertain, had worked well in Australia; but what struck him was that if it was so convenient it was surprising that so little land was put on the register otherwise than by compulsion.

There was a return in 1881 from various colonies, and the system had been pronounced to be economical, safe, and thoroughly appreciated there?—Yes, that is so. Might he also say how very little of it—less than one-third in New Zealand, less than one-sixth in Tasmania, less than one-eighth in Victoria, a little over one-ninth in the rest of Australia—had

been put on the register. He argued from that that there could not be any land brought on otherwise than compulsorily.

You say that the new system in England is defective mainly in the points in which it differs from the Australian system.—Yes. It is rather a difficult question to answer.

It is; but I will give you an illustration. You say that in Australia the fees are nominal, and that they ought to be on the same scale in England.—I do.

You know that there is no loss to the colonial Exchequer?—That, he understood from the returns, to be the case.

I suppose you would consider that if there was a sufficient volume of business in England, with nominal fees there would be no loss to the Exchequer here; arguing from the parallel in Australia?—Probably. The point of fees, which was very important, would be largely controlled by the question of how much business there was.

You also consider that, quite apart from whether the business is remunerative or not, if it is made compulsory the fees still ought to be nominal? I think it is *a fortiori* in that case.

You said that under the system proposed the real owner may find himself ousted from the property by having somebody else appearing as the owner on the register. You gave an illustration of how that might be done by fraud. You took for example the case of say John Jones. We will suppose that he is the registered owner, and that some rogue forged his name and got the purchase-money, and executed the transfer from John Jones by forgery to the purchaser.—I assume that the man who commits the fraud or forgery puts himself on the register.

And then John Jones, who may be travelling at the time, comes back and finds he is ousted because the buyer from the forger has become absolute owner on the register. To begin with, you have to find a rogue and also a registrar who will be taken in, and also a judge who, under these circumstances, will say that the compensation shall be payable to John Jones and not to the innocent purchaser.—Yes, and the Lord Chancellor did not shrink from that.

These are the things you have to assume. Now can you tell me whether there is any question hitherto of that having happened under the Registry in England?—Oh no. It hardly would happen, because the Registry was so little known that anyone would be extremely cautious.

At any rate there are £7,000,000 or £8,000,000 of property upon the register.—I am surprised to hear it. I will accept it if you say so.

In fact it never has happened yet.—No. He thought he had put it that a more common cause of fraud was with regard to a charge.

You did. In the case of a charge the same thing would have to be done. There would have to be forgery, deception of the registrar, and the decision of the judge that the real owner was not to have the land. Such a thing might happen. You say it is not possible yet.—Not on this registry.

You suggest that the law should be so amended that under no circumstances should the true owner be ousted of his property, but that compensation out of the insurance fund should be paid to the person deceived. If that amendment were accepted, the case of John Jones being so deprived of his land would be impossible.—Quite. You make the title guaranteed instead of absolute.

Assuming your amendment is adopted, there is an end of that most proper criticism.—Certainly. It would bring the system into conformity with the Australian system.

I cannot enter upon that. I do not think it is so. You have also suggested that the land certificate should always be produced to the registrar before the transfer was allowed.—Yes, or on any other dealings.

If that was so that would constitute an additional safeguard, because it is equivalent to the production of deeds under the present system.—It would be a very great safeguard.

You also require that the purchaser under the system of registration should be entitled to call for attestation by whomsoever he thought fit. In that case he might, and probably would require the solicitor of John Jones, and it would be a still further additional safeguard.—It would.

The consequence of that would be that if this amendment were adopted the real owner would be absolutely safe on the register.—As far as I can see.

The possible danger would be absolutely averted.—The possible danger of fraud or forgery would be almost absolutely averted.

Under the present system, if I innocently purchase from a man who has no title, and I find afterwards someone comes who has the real title, I must be ejected, and I get no compensation at all.—No. You would have your remedy against the vendor.

Yes, but probably the rogue who cheated me would be a man of straw. But supposing the registry system amended as you suggest, if the forger had to produce the land certificate, and the innocent vendor also required attestation by the vendor's solicitor, it would be very difficult to cheat me.—I think it would.

In the first place the forger would have to find the land certificate—that is to say he would have to be in possession of the title deeds. And in the second place he would have to have as an accomplice a fraudulent solicitor for the true vendor. Therefore, the risk would be very small of a *bond fide* purchaser being deceived.—Yes; and, as a further protection, the Act of 1875 contemplated that all documents should be necessarily attested by a solicitor.

If you were to give that additional safeguard, the chances would be practically nil.—I think so, but that would be reversing the whole policy nce 1889.

Under these circumstances, in case of the amendments being made, you suggest the real owner would be absolutely safe, and the innocent purchaser would be practically safe too.—I think so.

But even supposing that the purchaser was in some unfortunate case to be deceived, he then would have what he has not under the present system, compensation under the insurance fund. Under these circumstances, if we act upon a system under which, when you have a registered transaction, the real owner is absolutely safe, and the innocent purchaser is practically safe, or if he is not he would get compensation in money, would not that be of very great advantage and benefit?—Yes, assuming that he could get it. You must not put out of sight the question, how you are to carry on business if you are always to go to an official.

Assuming that we could do it satisfactorily apart from the official difficulty.—It could be done by an amendment of the law as you suggest.

Would it not be a very great boon?—The only boon I can see you get is—

Absolute safety.—I think you have absolute safety now. You get the compensation to the purchaser.

At present, when the real owner is safe the purchaser is not always safe.—No, you give him the benefit of the insurance fund.

You have the advantage that the purchaser would be as safe as he is now, and safer, because he would get compensation when he is innocently deceived.—He can get it now. If he comes to the Law Guarantee Society he can get it. If he pays for it he can get it. My point is that you are only getting what you pay for. He can equally get it now if he thinks necessary.

The maximum scale proposes a farthing in the £ for insurance, and the experience in Australia is that about £400,000 is the amount of the total insurance fund, and about £15,000 is all that has been drawn from it.—But they still charge the maximum.

But supposing wise and sensible people dealing with the matter they might reduce the farthing to something infinitesimal.—You might if you had a board to assist the Lord Chancellor.

I am afraid you do not think very highly of the Lord Chancellor.—I do, but these details are beneath him.

If the Australian parallel is to be followed the insurance can be reduced.—No doubt.

That is very satisfactory if you can get it.—If you can get it.

You said there is a danger under the existing system of fraud by a man getting himself placed on the register for a possessory title upon his own statutory declaration, and without further evidence.—I do not think it increases the danger of fraud very greatly, because he gets so little by his possessory title. But I think it is a danger that a man, having got that certificate, might go to people who do not understand it and commit a fraud.

You think it desirable that some more investigations should be made before the person is registered for a possessory title?—I think there should be some documentary evidence that a man or his tenant is in occupation.

You would not object to the possessory system then?—Not at all.

In the case of your own land, to which you referred at a previous sitting, do not you think the registry office would have been very pedantic and wrong if they had not accepted, from a gentleman in your position, an undertaking which it appears you gave?—I think they ought to have required more, because if I gave the undertaking, as you state, and no doubt I did, it had escaped me, and I am quite sure I have never produced the deeds.

You said some further inquiry should be made as to occupation, and that would remove your objections?—Yes.

Possessory registration does not obtain in Australia. Do not you think it desirable to have it in England.—You could not possibly make anything else compulsory.

I will leave out compulsion. You have told us there are in England a large number of titles which are safe holding titles, but without the actual accuracy of an absolute title. You would not wish to remove them from improving by the lapse of years into a perfect title?—No; but they would do so under the present system.

You do not want to exclude them from registration until they obtain that maturity. Registration of the possessory title on the 1st of January will mean that no inquiry into the legal estate will be necessary for any transactions after that date. And on the 1st of January, 1915, you will have a twenty years' title commencing with the registration of the possessory title, and therefore, at that time you really get a perfectly good title?—No better than you have under your conveyance you received on the 1st of January.

I am speaking of the advantages of registration. At the end of twenty years you may dispense with further inquiry?—You certainly would in either case. He neither objected nor approved of registration of possessory title. As long as it was voluntary and a man thought he got an advantage, let him do it. But he (witness) could not see the possible good it gave him.

Do not you think it a good thing, if you register in January, 1895, that after twenty years' time you have nothing to look to except the register?—Nor would you if you produced a conveyance in fee simple.

You would accept the twenty years' possessory title, I understand; but of course you would require to see the transactions during the last twenty years by deeds?—If there had been any.

But in the case of registration of possessory title, after the lapse of twenty years you would not want to see anything beyond on the register.—I do not see how you could possibly work it in that way. You would tell me in 1915 that it belongs to C. D., and that it was registered in 1895. You have nothing to show you anything more.

You mean you are not entitled to require disclosure of the earlier transactions.—No.

Assuming there had been transactions between the registration of the possessory title and your proposed purchase.—Yes.

At the same time after a lapse of twenty years with a safeholding title would not it be easy for the owner of the possessory title to get himself registered as absolute owner.—You do not propose to do that by this Bill. Lord Halsbury did.

At all events that ought to be done.—I think there are conveniences for doing it. Lord Halsbury's plan was crude but might have been altered.

The policy you suggest is that when a man has been registered as the owner of a possessory title, after a lapse of time he may then apply for some title to be registered as an absolute owner.—He ought to have that power.

In that case the possessory title would be useful for him to start with.—I do not see what good he gets from it because at the end of twelve years he cannot be registered with an absolute title. I do not see why he should not. The possessory title does not seem to justify the charging him a fee for getting what he has already got. He has got his deeds.

Does not that depend on the amount of the fee?—I think it is an amount of trouble and difficulty for which I do not see sufficient advantage. I am very anxious to meet your views. I do not want to keep putting my own objections.

I am asking you what I thought we understood Mr. Wolstenholme to say—that it would be valuable to have a possessory title registered which should fructify into an absolute title.—May I be allowed to say I thought your question a little misled him? Your question was, "Should the whole of England be under a possessory title, and after twenty years all have an absolute title, would not that be an advantage?"

You do not see any harm in a possessory title?—I see no harm or good either.

You do not agree that, if you could for a nominal fee be registered as the owner of a possessory title, and if no purchaser afterwards would be bound to inquire into anything except what took place prior to the possessory title being registered, that would be an advantage?—I think it is an advantage a man possesses now. A man who has got a conveyance in fee simple indorsed by solicitor and counsel has always an advantage now.

You thought there might be a mistake about boundaries? You suggested that there should be something more than a mere plan—that there should be description.—That would completely remove the difficulty. Abuttals could be described by reference to a road, and it would put them on the same basis as under the present system of conveyancing.

You put a case in which there was in the registry office a wrong piece of land entered as having been sold. Had there been abuttals, would it have been possible for the mistake to have occurred?—No.

As a matter of fact, do you know whether any person has been entered on the register by mistake?—He did not know of a case. Mr. Brickdale had given an example of one which was only just stopped in time.

Even supposing there was a mistake he would get compensation.—That would depend upon his position. He probably would in most cases. If the land taken were land belonging to a man with a possessory title, and he was still on the register as registered owner, he would not be entitled to compensation. He thought, according to the first schedule of the Bill, it did not apply to the registered owner. He would desire that the first person who registered a possessory title should not be guarded as to the validity of his title, but should be guarded against suffering from the mistake of the register.

If that was so, it would require an effort of ingenuity to see how the mistake with the compensation could arise to anybody.—If you put that in.

You said the system of registration of title would not be suitable to all cases of transfer, and that there were some cases still in which there would be a double title, that is to say, the register would shew the transfer of legal estates, but there might be equitable estates outstanding which would have to be controlled by deeds supplemental to the register. Did not Mr. Wolstenholme tell us that that is just exactly what he wanted to have done, even in the conveyancing system as it is at present?—I did not so much comment upon the difficulty of the double set of titles, because you always take care that the tenant for life shall discharge the title by a good receipt. But if you are going to put a title on the register by official system, the only justification is that you are going to take the whole of the conveyancing arrangements into official hands, and relieve the owner from all difficulty. If you fail in doing that to that extent you fail in the system of registration of title.

Why should not it be a convenient thing that the legal estate alone should appear upon the register, as Mr. Wolstenholme suggested.—I think Mr. Wolstenholme's view was that, under the present system, if you protect purchasers against equities, then you can get perfectly legal rights or legal estates depending upon the deeds without the intervention of the register.

I perfectly agree; but I think that what Mr. Wolstenholme said was that in all conveyancing it was desirable, if you could, to deal with a string of legal titles, and not to allow the equities to be interfered with?—That is so.

I think he told us that, while not accepting registration if you had registration of title, he was of opinion that it ought to be registration of a string of legal estates, and not encumbered except by way of caution of equities.—Certainly.

You have told us that registration would be unsuitable to some cases, but for the purpose of shewing the legal estate, registration would be equally easy in all cases, registration always shewing the legal estate. He did not quite know that he had used the expression "unsuitable to some transfers." He had said "unsuitable to some estates and to some dealings." He had never doubted the fact that by the registration as framed by the Bill, a legal title could be deduced. What was shewn by the register was who had the power to dispose.

That was the policy of the Settled Land Act of Lord Cairns, that there should be on every settled estate a man who could sell every acre, and give a good title.—Yes.

You agree in the principles of registration.—Yes.

Is not that the proper policy of any registration of title?—Yes. He had never quarrelled with the principle of registration to that extent. What he ventured to put before the committee was that the system was not one which ought to be enforced upon people against their will. That was the position he had occupied throughout for the last five or six years.

Take the case of myself, being the owner of land registered as absolute owner upon the register, and at the same time having various trusts for the benefit of other persons, subject to which I am the legal owner. Supposing I want to sell to A. B. that land, A. B. will come and look at the register. A. B. will see upon the register certain cautions which have been placed there on behalf of the people for whose benefit I hold that land. He will say, "What do you say about these cautions, and the registrar's duty will be to send notice of my intending to sell to all the persons putting cautious on the register. If any of them object to that transaction they can at once restrain me, within twenty-four hours, by going to a judge in chambers.—Yes, subject to the danger of not getting notice.

Anybody who had an equitable title would be at liberty to place a notice on the register, and if he did so he would have the opportunity of anticipating any fraudulent dealing, as between him and the registered owner, with the land of the registered owner. And that is the system in Australia, and it has worked extremely well.—So far as I know.

It would very soon come to be known that you are bound to give notice, just as it is known you ought to *distringas* stock, but it is not often done.—I quite accept that it ought to be done.

You cannot, under any system, prevent the possibility of people neglecting every reasonable caution they ought to take.—The difficulty is, you put to me a case which is so very unlikely to occur. Unless I understand that you or someone equally desirous of making the system flexible was going to have control of the Land Register. Because the Land Registry have increased their fees.

I know, but I am dealing with the point of security.—Upon the point of security that is so, but you supposed a nominal fee.

I have treated it as an assumption. It ought to be a nominal fee I thoroughly agree. Let us proceed to the cases where you said it would be unsuitable for certain transactions and certain estates. You gave us an illustration of a transaction where there were debentures issued upon the security of some property. You said that transaction could not appear upon the register. The trust deed could not appear upon the register, that is clear. But the vesting the legal estate with the owner would appear.—Yes, but you would in the case I gave require 242 transfers instead of one, as under the present system.

Such property must have an entry in the register by itself. If you liked to amalgamate it might be easy.—You could not possibly. These were public-houses all over the land. You could not amalgamate on the register. You could do it by trust deed. It is the case of legal mortgagees who have persons entitled in equity to the benefit of charges which they enforce.

I do not think you want in a system of registration that every tranaction in the land should appear *in extenso* on the register. All you want is that the title should appear and the legal title alone.—My point was that instead of having two paragraphs having the whole of the properties I should have 242 transfers to get executed in order to put them on the register.

Instead of enumerating them all on one piece of parchment and signing oneself.—Yes.

You have 242 pieces of land and you have to have descriptions of each of these pieces in your deed.—Yes, very short descriptions.

Therefore really it comes to this, that instead of having printed forms such as those in the Land Registry, you would fill up each description in the deed.—Does not it go further? It seems to me that I may have these 242 transfers in 52 counties. I do not know what registries you are going to have. If you are going to have a registry in London only, then it is only the filling up of 242 forms and taking them to the office. But if you are going to have local registries, as I think you must have, it would mean sending different deeds to the different local registries.

The Statute of Limitations you think ought to apply. It does not apply by authority of the 81st section of the Act of 1875, and it does apply in Australia.—Except in New South Wales. He had not heard of any difficulty arising in Australia by reason of its applying. He suggested that amendment.

Upon the question of delay. Delay is a matter of administration.—Yes.

You have no faith in officialism. You do not think it is likely delay can be escaped by any amount of officials being employed. Officials, however desirous of doing their work, were not under the same keen pressure that professional men were. It was a matter of no difference to officials, but the blame would fall on the solicitor. The official naturally had not the same spur to speedy action.

That is after all a matter of conjecture. You may be right or I, if I take a different view. At all events if you had a large, adequate, and adequately-managed staff it would be met.—Yes.

Do you think it would be desirable, as Sir Robert Torrens did, to have one central metropolitan registry office, or ought it to be extended into localities in each county. That was a question for some of his professional brethren in the country to answer. As a London solicitor he would of course prefer a metropolitan centre. But he thought it would be found

extremely inconvenient, and would cause great dissatisfaction if every solicitor throughout England had to send by post or come to the London registry. He must come for a search.

Do you think it would be possible if you had a system of registration of title to have it even more local than in counties, to have it for example in unions?—He thought you must have a registry office for very small districts. Probably it would be found also desirable to have a metropolitan centre something like the registry for births and deaths, local registries centralized in London for the purpose of search, but the original registries must be in very small centres. He would decentralize, but there must be some centre of control. A board in London with local registries, that was Lord Halsbury's idea.

Under section 14 of the Bill it is proposed to have a deposit certificate which would be in fact a substitute for the deed, so that there would be no transaction entered into with the land after the certificate had been issued until that was brought in. Do not you think that a satisfactory substitute for equitable deposit of deeds?—He could not conceive why a second certificate should be necessary. But putting that aside he did not see how it would be possible to get on without a search. The registered deed was only with a legal title, there was an outstanding equitable title. It was true that this deposit certificate was to be a bar to all dealings by the registrar with private land. A banker who relied on that without search might easily find that the equitable owner had put a caution on which would override it. The difficulty did not exist at present, because there was a chain of title which shewed the equitable interests.

You mean they would have to examine the deeds before the banker would lend?—The banker would probably turn them over, and knowing who the people were he would lend on the faith of that. Even if there was a deposit certificate he would still have to go to the register and see if there were any cautions which would interfere with his lending the money.

Do you think that would be more difficult than having to go through the deeds to see whether there is any equity?—He does not probably open the deeds. He looks at the backs. He runs a certain risk. He sees the chance is small, and is satisfied. He lends rather upon his faith in the credit of the person bringing the deeds.

Would not he lend equally upon the faith of the person bringing the deposit certificate? I doubt that very much.

Why should you not lend on the certificate?—Because you know that without the deeds he cannot make a title by any possibility. No one would buy without the deeds; but he might sell without producing the certificate. If the deposit certificate were made equal to the deeds, there would still be the difficulty that there would be no "chain." A banker would look at the general chain.

Do not you think a most precise and explicit idea would be obtained by an examination which would take two minutes of the register?—That would shew no value. In the deeds it would appear that Jones bought for £3,000 in 1869, Huggins a few years later gave £3,500, and the man himself, two years after, £4,000. That was a very good guide to the banker in London.

If you look at the register you will see the price he purchased at?—I do not think you would. If it were so, to that extent it would be information; but the certificate certainly would not give the information.

That might be got rid of by amendment?—If you keep on altering the system you will make it perfect.

You said Sir Robert Torrens had not registered his titles here. I have a book written by him in 1881, and he was strongly in favour of registration. Was not his objection that the system in England was not assimilated to that in Australia?—It was chiefly on the question of boundaries and absolute title. He wanted to assimilate the English system to the Australian.

And thought the English system so defective in comparison that he did not register his own land.—I quoted him because in the evidence given by the Lord Chancellor before the committee and in the speeches made, Parliament has been led to suppose that this system is entirely the same as the Australian. And the experience in Australia has been relied upon in its support. Whereas the systems are wholly different. Sir Robert Torrens followed one and refused to have anything to do with the other.

If the amendments you referred to were introduced into the Bill, and it was a voluntary Bill, I think it might then be said.—That you may make a system which, if voluntary, might be made useful in many cases.

The protection under it would be safe.—With the alterations suggested.

And economical if the fees were kept down.—If the fees were kept down.

Would not the system, if safe and economical, have certain advantages over the present?—You have told us it would be safe. Can you say the present system is absolutely safe?—You put in the word "absolutely" in one case and not in the other.

I will put it in both.—I should say it is quite as safe. I can come to no other conclusion. I have been over thirty years in practice and have only known of one instance of attempted fraud or forgery within my own knowledge and that was not of land but of stock.

Your firm deal with very large transactions mainly and with reliable people. Surely you will not dispute that there have been numerous frauds with regard to transfers and mortgages and charges on land?—There have been numerous frauds, but not one-tenth of the number that have taken place with regard to stocks and shares. You could not frame any system which some fraudulent ingenious man will not find his way through.

I have reason to know how vigilant the Incorporated Law Society are in dealing with such cases. Is it not the case that not infrequently solicitors—the black sheep of the profession—have been found at their death to have dealt in land?—Oh, yes.

These cases would not come before the committee.—Not if the solicitors were dead.

Is not it the case that there are cases of fraud, and great loss is incurred?—There were plenty of cases, because they necessarily came before the courts.

That would be one advantage of the proposed system if amended. Is not there another? In simple cases of transfer of land there would be no necessity for the employment of a solicitor.—That depends upon how far you carry your amendments. If you are going to say succession duty shall not be a charge, and so on, then it is quite possible a man who has nothing to do can carry out, as he can carry out now, his own affairs.

In some Australian colonies solicitors are still employed in most cases.—That is so.

But in others no solicitors are employed in the majority of cases.—I have no doubt it is so.

I cannot expect you to accept the view that that would be an advantage; but it might be a diminution of expenses.—If it is an advantage to the public in regard to cases of fraud, but I do not think it would be an advantage.

In cases where there are leases you would require a solicitor's assistance, but would not the work be very much less?—Certainly, with an absolute title.

He would not have to search for the legal estate.—I am afraid you think more seriously of hunting for the legal estate than I do.

At all events he would not. He would not have to search for equitable charges or mortgages not on the register, and in other ways there would be less for a solicitor to do, and under the system of registration he would not charge so much.—If you take away the solicitor's responsibility you will be entitled to reduce his remuneration.

Would not you, in addition, have the advantage of a State guarantee to the purchase on every absolute title?—Yes, for which the purchaser has to pay.

I think the proportion of absolute titles to possessory titles on the existing register is four or five to one?—I should think it would be so, because an absolute title is worth having. There would be a qualified guarantee of title upon the purchase of possessory estates. And in twenty years it would practically be the case that there would be an absolute State guarantee to every purchaser of a registered estate upon every estate that had been registered more than twenty years.

Taking the maximum insurance, which would be 2s. 1d. for a conveyance for £100, to take the absolute title, there would be the benefit at once. Is that not worth the 2s. 1d.?—I cannot see the advantage it gives him. He is to have a much stricter examination before the registrar before the title is made absolute. You do not find, in one case out of ten, that people transfer their stocks or shares, though they may do it.

But he can act for himself, and he pays a nominal fee for the State guarantee of title. The advantage of a State guarantee is something?—Oh, yes, certainly. As an instance of the flexibility of the present system compared with that proposed, he had given an instance of a building plot in which it was necessary to lodge restrictions, these having to be signed by the four purchasers. It was only signed by three, and they wanted to build without waiting for the signature of the fourth, who was in France. He telegraphed his consent, but, upon witness going to the Land Registry, it was ascertained that it was impossible. The registrar would not allow him to register the conveyance and afterwards the restrictions, because the restrictions must be lodged at, and only at, the time the conveyance was lodged. The consequence was that the purchasers would have to pay £10 for interest simply because they had the misfortune to be dealing with officials and not solicitors.

That could be met if the rules were so altered that restrictions could be registered at any time.—If you will allow us to mould the system as we like I think we may make it a workable system eventually.

If your suggestions were carried out, and it was made a flexible system, why do you object to its being made compulsory?—I cannot see why, if the system is so good, it should not be left to make its way. You have a system which has worked for many centuries, and which especially during the last fifty years has been greatly improved. It is a flexible, convenient, and well-known system, and the proper way to deal with a new system of registration never yet applied in the country at all is to let both stand on their own merits, and let the better one win.

Leeds Building Society Solicitors.

Mr. Middleton, senior member of the firm of Middleton & Sons, solicitors, Leeds, said his firm were solicitors to the Leeds Permanent Benefit Building Society, an institution with assets amounting to over £1,437,000, an annual turnover of £560,000, and lending out on mortgage from £150,000 to £200,000 per annum. It had assisted thousands of the working classes to acquire freehold property. His firm sent for registration at the Deeds Registry Office at Wakefield a very large number of assurances, which were generally representative of comparatively small transactions. He handed in tables of the transactions of his firm for the past three years, from which it appeared that the percentage of fees in the transactions for vendors and mortgagees was slightly in excess, whilst in those for purchasers it was less than one per cent. on the purchase-money, and particularly so in cases under £500. The costs included the journeys to Wakefield to search against incumbrances and register the documents. Registration constituted a source of expense which did not exist in non-register counties, but he thought the register of use, as it often prevented difficulties arising from mistake. He had very little practice in non-register counties. There was great elasticity with regard to the labour of the solicitor as compared with that of officials. He assumed that Leeds would of neces-

sity require a land transfer office, and the work passing through his own office would engage the attention of one registrar, so that twelve or fifteen such officers would be required for Leeds alone. If conveyances obtained at the present time through the Chancery Division were any criterion of what land registries may be in the future as regarded time and cost, a grave national injury would be perpetrated. His experience was that such transactions were a source of trouble and loss to such firms as his, and of annoyance and friction with their clients.

NEWCASTLE-ON-TYNE SOLICITOR.

Mr. ROBERT PYBUS, of the firm of Gibson, Pybus, & Pybus, Newcastle-on-Tyne, and registrar of the county court at Gateshead, said he had been in practice for twenty-four years, and had had considerable experience in conveyancing. He was satisfied there was no substantial demand by the public for any system of registration. What demand there was seemed to be founded chiefly on a belief that registration would prevent fraud. The popular idea was that the register would shew fully every transaction in any way affecting the land; whereas the object of the present system was to place as little as possible on the register. The only cases he had known of fraud had been of a kind that would not have been prevented, but rather made easier, by such a system, for they had been in the nature of breaches of trust. Transactions under £300 formed by far the largest proportion of the conveyancing business in the North, and he produced statistics and forms which shewed that an immense amount of business was being done at a cost of money and time far less than any system of registration would allow. Nearly the whole of the land in the south of Northumberland and in the county of Durham was subject to mining rights belonging to other persons than the owners of the surface, often with very complicated wayleaves both under and on the surface. He was unable to imagine any simple system of registration of title which would indicate those rights which often formed an important addition to, or deduction from, the apparent value and usefulness of the land.

PRESIDENT OF LIVERPOOL LAW SOCIETY.

Mr. C. H. MORTON, President of the Incorporated Law Society, of Liverpool, said he had a large practice in conveyancing transactions, both great and small, as purchasers and vendors' solicitor. Modern conveyancing was expeditious, deeds were short, investigation of title was simplified, and the cost of transactions was in reasonable proportion to the value involved. The Land Registry had been but little availed of from the first, but he believed it might have slowly grown into wider use, but for the great superiority over its practice, which the improved methods on the old system under recent Acts had established. The possibility of delay was one of the objections to the system proposed by the Bill, which the Liverpool Society particularly dreaded. Clients did not object so much to costs as to lack of promptitude. That the matter should be speedily completed was the constant instruction. The number of solicitors and their clerks engaged in conveyancing was probably not less than 50,000. It was inevitable that when the work they did had to be transacted by relatively few officials, it could not be expected that conveyancing matters should be transacted with despatch. He heard on all sides complaints of delay with regard to the present Land Registry, two months being about the period required for getting through the simplest matter.

PRESIDENT OF COUNTRY BANKERS' ASSOCIATION.

Mr. FREDERIC SEEBOHM, partner in the banking firm of Sharples & Co., of Hitchin, Luton, Hertford, and elsewhere, president of the Country Bankers Association, said the class of cases he represented were entirely different from those that passed through the hands of solicitors. A large amount was lent annually by bankers upon the deposit of deeds, about sixty per cent. of the loans made in the banks of his own county. He thought it might be fairly said that from £100,000,000 to £150,000,000 represented the amount at the present moment lent upon equitable deposit of deeds. Nearly the whole were transactions in the banks themselves without the intervention of a solicitor, and represented the passing needs of the trading community. Under the present system the deeds were brought to the bankers, who could tell in a short time whether it was necessary to send them to a solicitor, in nine cases out of ten it was not, and in the tenth the solicitor of the banker was employed. He did not remember that the bank ever made a charge to the borrower for it. The money was lent on the spur of the moment at only nominal cost and with perfect secrecy. The bankers had gone to the Lord Chancellor because they saw that the Bill would upset their business. They had tried to get the Lord Chancellor to see the difference between the deposit of deeds and the document under clause 14 of the Bill. With the certificate promptness would be gone, and in addition the certificate would not give the security which deeds would furnish, and by which the bankers judged whether they were such that they could properly make the advances asked. The deeds gave just the information the banker wanted, the certificate told him nothing. The bankers would still require the deeds for the present as they would have always to look into the back title. It was not simply a banker's question because the loans were to traders, and it was they who would be inconvenienced if the banker could not lend the money.

MONDAY'S PROCEEDINGS.

The committee sat again on Monday, the ATTORNEY-GENERAL presiding.

Lord Justice DAVEY was present to give evidence, but the Committee, after deliberating in private for ten minutes, adjourned till Tuesday next (2nd July).

LAW STUDENTS' JOURNAL.

CALLS TO THE BAR.

The following gentleman were called to the Bar on Wednesday:—

LINCOLN'S INN.—Henry Martley Giveen (studentship C.L.E., Trinity term, 1893), B.A., Wadham Coll., Oxford; James Francis Wallace Galbraith (certificate of honour C.L.E., Hilary term, 1894), B.A., Oriel Coll., Oxford; Joseph William Mounteney Holmes, B.A., Magdalen Coll., Oxford; Walter Gilstrap Branston, B.A., Trinity Coll., Cambridge; James Irvine Stirling, M.A., Trinity Coll., Cambridge; Philip Debell Tuckett, B.A., Trinity Coll., Oxford; Nanaji Sidram Sindé; Adolphus Alfred Jack, B.A., Peter House, Cambridge; Eustace Stanley Paton, B.A., London University; Rigby Philip Watson Swift, LL.B., London University; George Henry Pinckard, B.A., Jesus Coll., Cambridge; George Ernest Timins, B.A., Pembroke Coll., Cambridge; Spencer Taverner Hankey, Magdalen Coll., Oxford; Abdeali Mahomedali Kajiji, Downing Coll., Cambridge; Umapada Roy, University of Calcutta: William Goodenough Hayter, B.A., New Coll., Oxford; Herbert Edwin Wright, M.A., LL.B., Trinity Coll., Cambridge; Radhika Prosad Sen, University of Calcutta; Roger Eustace Wilbraham; Basil Murray Smith, B.A., New Coll., Oxford; and John Cook Gordon.

MIDDLE TEMPLE.—Clement Anderson Montague Barlow, M.A., LL.M., Cambridge, Law Scholar, Middle Temple, and Student in Roman Law; Francis Chorley Channing (I.C.S.), Fellow of Punjab University, Judge of Punjab Chief Court, late Scholar of Corpus Christi Coll, Oxford; Daniel Harold Ryan Twomey (I.C.S.), University Coll., London; Algernon Massey, Fleet, M.A., Christ Church, Oxford; William Joseph Whittaker, M.A., LL.B., Chancellor's Medal in English Law, Junior Whewell Scholar; Percy Albert Searles, M.A., Trinity Coll., Cambridge; Robert Charles, Phillimore, B.A., Oxford University; Harold Newell, B.A., B.C.L., Durham University; Charles Olinthus Gregory; William Haldane Porter, B.A., Lincoln Coll., Oxford; Herbert Willinm Ruthven Moore, B.A., Pembroke Coll., Cambridge; Nazarat Hosain; Léon Charles Alphonse Robert Pitot, B.A., Cambridge; Launcelot Henlock Ayscough Stubbs, B.A., Lincoln Coll., Oxford; Syed Sherfuddin Ahmad; Atul Prasad Sen: Arthur Francis Welby Solomon; Wright Lissett; Bryan Inglis Southey; Tyrrell Mildmay Commissiong; Nalini Chushan Gupta; Prabh Dial: Iyotis Ranjan Das; Leonard Charles Edmund Currie; Jethalal Motilal Parikh; Chunilil Harilal Setalvad; Chimanlal Narbheram Thakor; Harold Pilkington Turner, LL.B., B.A., Victoria University; John Robert Manners, B.A., Jesus Coll., Cambridge; Rustamji Framji Bahadhurji; Joseph Adolphe Duclos, LL.B., London University; Pierce Essex O'Brien-Butler, her Majesty's Consular Service, China.

INNER TEMPLE.—James Howard Lindsay, B.A., LL.B., Cambridge, holder of a certificate of honour, awarded Trinity, 1895; Alexander Edmund Fraser, M.A., Oxford; Walter Llewellyn Fry, M.A., B.C.L., Oxford; Harry Weston Carlton; B.A., Oxford; Alfred Ingleby Harrison, Cambridge; George Edmund Roberts, B.A., Oxford; Ernest Albert Reginald Read Bloomfield, B.A., Cambridge; Cecil John Mead Allen, Oxford; Arthur Holland Biggs, B.A., LL.B., Cambridge; Eustratius Emanuel Mavrogordato, B.A., Oxford; Herbert Frederick Cook, M.A., Oxford: Henry William Law, B.A., Cambridge; Alexander Claude Forster Boulton; Pherozshaw Ruttonjee Minvalla; William Edward Crosse Upcott, Oxford; Horace William Newland, B.A., Oxford; Henry Illingworth Bowring, M.A., B.C.L., Oxford; John Herbert de Paz Thorold Gosset, B.A., Cambridge; Archibald Read, B.A., Oxford; Claude Eustace Shebbeare; William M'Callin, M.B., Royal University of Ireland; Francis Staunton Wilmot Sitwell: William Outhwaite Willis, B.A., Cambridge; Robert William Hamilton, M.A., Cambridge: Albert George Scott; Arthur Bell Morland, B.A., Oxford; William Arthur Warwick, B.A., Cambridge; Edward Grimwood Mears, B.A., Oxford; Murlie Manohar Singh Ghour; Dalzell Henry John Chalmers, B.A., Cambridge; and Edward Burn Hawes, B.A., Oxford.

LEGAL NEWS.

OBITUARY.

We regret to announce the death on the 19th inst., at the age of 67, of MR. FREDERICK DUMERGUE, Barrister. He was called to the bar in 1852, and had a large practice as a conveyancer. He was a good lawyer and a man of sound judgment and ability. In his early life he was distinguished as an athlete. He was educated at Rugby, and was in the school eleven, and from Rugby he proceeded to Caius College, Cambridge, and was in the Cambridge eleven.

APPOINTMENTS.

MR. ALFRED T. DAVIES, solicitor, of the firm of Herbert Lewis & Davies, Liverpool, has been appointed by the Chancellor of the Duchy (Lord Tweedmouth) to the office of Cursitor of the County Palatine of Lancaster, vacant by the death of Mr. G. H. Dickson, of Preston.

MR. HERBERT HACKETT ASPINALL, solicitor, of the firm of Clarkson, Grunwells, & Co., of 36, Lime-street, London, has been appointed an examiner of the Probate, Divorce, and Admiralty Division in Admiralty actions.

MR. F. R. Y. RADCLIFFE, barrister, has been appointed a revising barrister on the Western Circuit.

INFORMATION WANTED.

£100 REWARD.—REV. HENRY COTTINGHAM, late vicar of Heath, near Chesterfield, and canon of Southwell, deceased.—Reliable information has been furnished that the above deceased left a will. The above reward will be given to anyone handing us the will, or to any person giving us such information as enables us to find such will.—Shipton, Hallewell, & Co., Solicitors, Chesterfield.

GENERAL.

It is announced that the will of Sir James Bacon has been proved, the personalty being of the net value of £135,646 11s.

Mr. L. D. Powles, Mr. James F. Torr, and Mr. Michael Moloney, barristers, have been appointed revising barristers on the South-Eastern Circuit.

The *Times* says that Mr. R. Neville, Q.C., M.P., has had a severe attack of influenza a short time ago, and this, together with an extra pressure of professional and Parliamentary work, brought about a condition of nervous prostration. Mr. Neville is at present staying near Frankfort-on-Main, and is progressing favourably towards recovery.

The *Times* understands that Mr. Justice Barnes has so far recovered from his long illness that he proposes to resume his seat in the Admiralty Division on the 16th of next month. In the meantime, when Mr. Justice Bruce goes on circuit on the 6th of next month, Mr. Justice Lawrance will take his place in the Admiralty Division until Mr. Justice Barnes returns.

On Saturday evening, in the Whitehall rooms of the Hotel Métropole, the Speaker was entertained at a complimentary dinner by the members of the Northern Circuit, in celebration of his recent election to his high office. Nearly 200 of the past and present members of the circuit assembled to do him honour. The chair was occupied by Mr. S. Pope, Q.C., the Speaker being on his right and the Lord Chancellor on his left. The Speaker's health was proposed by Mr. Pope, and the whole company rose and drank the toast with much enthusiasm. The Speaker having responded, other toasts followed in due course. Among those present were the Lord Chief Justice of England, Mr. Justice Wright, Mr. Justice Collins, Mr. Justice Bruce, and Mr. Justice Kennedy.

At the meeting of the London County Council on Tuesday, the Parliamentary Committee reported that they were of opinion that the Land Transfer Bill would tend to reduce enormously the conveyancing costs of transfer, and asked the Council to express its approval of the Bill, and to authorize them to support the Bill in Committee. Dr. White moved an amendment to the effect that it was inexpedient and unnecessary to incur any expense in the matter. The Bill had not been circulated to the members of the Council, and they knew nothing whatever about its provisions. It was, therefore, absurd to ask the Council to express its approval. Mr. J. B. Porter seconded the amendment. Mr. E. Bond supported the amendment on the ground that the council should mind its own business. On a shew of hands the amendment was negatived, as was also a motion to refer the matter back for further information, moved by Mr. C. Jerome, and seconded by Sir J. C. Dimsdale. The recommendation of the committee was then adopted.

At the Marylebone Police Court, on Tuesday, William Massey Smith, of Gloucester-road, Seven Sisters'-road, Holloway, was summoned by the Incorporated Law Society for having on the 30th of April unlawfully, wilfully, and falsely pretended to be a solicitor. Mr. R. H. Humphreys, solicitor, prosecuted. It was shown that Mr. Hartnell, the landlord of the Lord High Admiral, Church-street, Edgware-road, had in March last a person in his employ named Kite as barman. He discharged him on the 29th of April for dishonesty, paying him his wages up to the time of leaving. Subsequently Mr. Hartnell received a letter from the defendant, commencing, "I am instructed by," and threatening proceedings for wages asserted to be due to Kite. Mr. Hartnell, being under the impression that it was a letter from a solicitor, went to Mr. Freke Palmer, his solicitor, and shewed him the letter. A summons was afterwards issued against Mr. Hartnell in the county court, but the matter was decided in his favour. The defendant, in answer to the case, said that he had no intention of holding himself out as a solicitor. He had acted on behalf of Kite, his nephew, as he had no father, and thought it was quite legal. Mr. Bennett fined the defendant £5, with £1 3s. costs.

COURT PAPERS.

SUPREME COURT OF JUDICATURE.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Appeal Court No. 2.	Mr. Justice Chitty.	Mr. Justice North.
Monday, July 1	Mr. Pemberton	Mr. Jackson	Mr. Leach
Tuesday 2	Ward	Clowes	Godfrey
Wednesday 3	Pemberton	Jackson	Leach
Thursday 4	Ward	Clowes	Godfrey
Friday 5	Pemberton	Jackson	Leach
Saturday 6	Ward	Clowes	Godfrey

	Mr. Justice Stirling.	Mr. Justice Kekewich.	Mr. Justice Romer.
Monday, July 1	Mr. Farmer	Mr. Carrington	Mr. Beal
Tuesday 2	Rolt	Lavie	Pugh
Wednesday 3	Farmer	Carrington	Beal
Thursday 4	Rolt	Lavie	Pugh
Friday 5	Farmer	Carrington	Beal
Saturday 6	Rolt	Lavie	Pugh

WINDING UP NOTICES.

London Gazette.—FRIDAY, June 21.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

BIRMINGHAM DRY COLLODION PLATE AND FILM CO, LIMITED—Creditors are required, on or before July 31, to send their names and addresses, and particulars of their debts or claims, to Philip Bates, Newhall st, Birmingham. Turner, Birmingham, solor to liquidator

COMBINATION LOCK AND CHAIN STITCH SEWING MACHINE AND ATTACHMENT SYNDICATE, LIMITED—Petn for winding up, presented June 11, directed to be heard on Monday, July 1. Gosling, 108, Fenchurch st, solor for petners. Notice of appearing must reach the abovenamed not later than 2 o'clock in the afternoon of June 29

EASTERN DRY DOCK AND ENGINEERING CO, LIMITED—Creditors are required, on or before June 29, to send their names and addresses, and particulars of their debts or claims, to Crawford Wall Slade, Tredegar chmbrs, Bridge st, Newport, Mon

JOURNAL PROPRIETARY SYNDICATE, LIMITED—Petn for winding up, presented June 20, directed to be heard on July 1. Limbrey & Co, 43, Finsbury sq, solors for petner. Notice of appearing must reach the abovenamed not later than 6 o'clock in the afternoon of June 29

PARRAMATTA SYNDICATE, LIMITED—Creditors are required, on or before July 22, to send their names and addresses, and particulars of their debts or claims, to James Parker, 1, Whittington avenue

SIMPLEX DAIRY, LIMITED—Petn for winding up, presented June 17, directed to be heard on July 1. Elwes, 8, Furnival's inn, agent for Owen, Louth, solor for petner Notice of appearing must reach the abovenamed not later than 2 o'clock in the afternoon of June 29

SWINDON AND NORTH WILTS BREWERIES, LIMITED—Petn for winding up, presented June 18, directed to be heard on July 1. Foss & Ledsam, 3 Abchurch lane, solors for petner. Notice of appearing must reach the abovenamed not later than 1 o'clock in the afternoon of June 29

SWINESHAW TWIST CO, LIMITED (IN LIQUIDATION)—Creditors are required, on or before July 20, to send their names and addresses, and particulars of their debts or claims, to Mr. William Moss, Ashton under Lyne. Lord, Manchester, solor to liquidator

FRIENDLY SOCIETIES DISSOLVED.

CARDIFF CAB PROPRIETORS' AND DRIVERS' SICK BENEFIT AND PROVIDENT SOCIETY, Friends' Meeting House, Charles st, Cardiff. June 15

HOPE OF ALL SOULS GOOD TEMPLARS PROVIDENT BENEFIT SOCIETY, 135, Vauxhall rd, Liverpool. June 8

SANCTUARY PRINCESS ALEXANDRE, ANCIENT ORDER OF SHEPHERDS SOCIETY, Station Inn, Saltley rd, Birmingham. June 1

London Gazette.—TUESDAY, June 25.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

HOTEL PRESS, LIMITED—Petn for winding up, presented June 20, directed to be heard on July 10. Robinson & Stannard, 19, Eastcheap, solors for petner. Notice of appearing must reach the abovenamed not later than 6 o'clock in the afternoon of July 9

NEW SKEOBY COLLIERY CO, LIMITED—Creditors are required, on or before Aug 10, to send in their names and addresses, and particulars of their debts or claims, to A. G. Howitt, 16, Clumber st, Nottingham. Bottrill, Nottingham, solor

CREDITORS' NOTICES.

UNDER ESTATES IN CHANCERY.

LAST DAY OF CLAIM.

London Gazette.—FRIDAY, June 14.

DOWSON, ALFRED CHRISTOPHER, Bridge Dock, Limehouse, Shipwright July 15 Nairne v Dowson, Chitty, J Baker, Crosby sq

HAWKINS, GEORGE BENJAMIN, Burton on Trent, Draper July 5 Hawkins v Hawkins, North, J Addison, Bond ct, Walbrook

NAYLOR, JAMES, St Helens, Lancs, Licensed Victualler July 11 Naylor v Naylor, Registrar, Liverpool Cook, St Helens

PENNINGTON, RICHARD, Rainford, Lancs, Cotton Spinner July 17 Pennington v Meller, Registrar, Liverpool Kenion, Liverpool

London Gazette.—TUESDAY, June 18.

PIRKIN, ENOCH JACKSON, Birley Carr, nr Sheffield, Iron Merchant July 16 Wharncliffe Silkstone Colliery Co v Pirkin, Chitty, J Brown, Bank st, Sheffield

London Gazette—TUESDAY, June 25.

ABERDEIN, SAMUEL, Hindolvestone, Norfolk, Farmer July 25 Bagshaw v Aberdein, Chitty, J Farrar & Porter, Wardrobe pl, Doctors' Commons

CLEGG, JOSEPH, Liverpool, Pawnbroker Oct 31 Duarte v Clegg, Registrar, Liverpool Garnett & Cleaver, Liverpool

HENSTOCK, Rev FRANCIS WILLIAM, Altrincham, Chester July 27 Henstock v Henstock, Registrar, Liverpool Weaver, Chester

HENSTOCK, JESSE, Altrincham, Chester, Gent July 27 Henstock v Henstock, Registrar, Liverpool Weaver, Chester

ROBERTS, HENRY, Bath July 18 Cottell v Roberts, Chitty, J Bush, Bristol

BANKRUPTCY NOTICES.

London Gazette.—FRIDAY, June 21.

RECEIVING ORDERS.

AITKEN, WILLIAM, Manchester, Clerk Manchester Pet June 19 Ord June 19

BALDWIN, JOSEPH, Over, Cattle Dealer Gloucester Pet June 19 Ord June 19

BESSANT, GEORGE, Melksham, Builder Bath Pet May 10 Ord June 19

BROWN, JAMES, Leamington Spa, Ladies' Costumier Warwick Pet June 18 Ord June 18

CHURCH, ANNIE DEVONALD, Bath, Lodging-house Keeper Bath Pet June 19 Ord June 19

DANBY, AARON, Leeds, Joiner Leeds Pet June 15 Ord June 15

FILTNESS, STEPHEN WILLIAM, Swindon, Hardware Dealer Swindon Pet June 10 Ord June 19

FLETCHER, CHARLES, Nottingham, Chemist Nottingham Pet June 19 Ord June 19

FORD, FRANK ROBERT, Longton, Commercial Traveller Stoke upon Trent Pet June 19 Ord June 19

GAUNT, HERBERT, Leeds, Coal Dealer Leeds Pet June 17 Ord June 17

GRICE, ALFRED GEORGE, South Shields, Cartman Newcastle on Tyne Pet June 18 Ord June 18

HANBURY, JOHN, Aberavon Neath Pet June 17 Ord June 17

HARBOTTLE, THOMAS BENFIELD, Longridge rd, Wine Merchant High Court Pet June 18 Ord June 18

HOLMES, ALLEN, Ashton under Lyne, Builder Ashton under Lyne Pet June 17 Ord June 17

HOLLINGSWORTH, WALTER, Rotherham, Innkeeper Sheffield Pet June 18 Ord June 19

HUME, ALFRED, Lowestoft, Smackmaster Gt Yarmouth Pet June 17 Ord June 17

HUTCHINSON, CHARLES, Nottingham, Grocer Nottingham Pet June 17 Ord June 17

JEFFREYS, EVAN, Ruabon, Wheelwright Wrexham Pet June 14 Ord June 14

LISTER, RICHARD NICHOLSON, Bradford, Clerk Bradford Pet June 18 Ord June 18

MITCHELL, WILLIAM ERNEST, West Bromwich, Publican West Bromwich Pet June 18 Ord June 18

NIXON, GEORGE CARRINGTON, Burslem, Glass Merchant Hanley Pet June 5 Ord June 17

PARKER, WILLIAM HENRY, Plymouth, Saddler Plymouth Pet June 18 Ord June 18

PHILLIPS, ISIDORE HERSCHELL, Warwick st, House Agent High Court Pet May 31 Ord June 19

PRICE, JOHN MORGAN, Abergavenny, Boot Maker Tredegar Pet June 19 Ord June 19

ROADS, HARRY THEODORE, Woking, Bricklayer Guildford Pet June 15 Ord June 15

SHEPHERD, WALTER, Leeds, Grocer Leeds Pet June 17 Ord June 17

SIMKIN, CHARLES, Chevington, Labourer Bury St Edmunds Pet June 18 Ord June 18

SMITH, RICHARD, JOSEPH SMITH, GEORGE HARRY HARDY, JAMES DURRANT ALEXANDER, GEORGE HARRY LOWE, and FREDERICK WAIN, Anstey, Leicester, Boot Manufacturers Leicester Pet June 18 Ord June 18

TUFF, EDWARD, Lower Hardres, Farmer Canterbury Pet June 17 Ord June 17

THEASBY, JOHN, Stockport, Baker Stockport Pet June 18 Ord June 18

VARLEY, WILLIAM, Nelson, Greengrocer Burnley Pet June 17 Ord June 17

WHITE, EDWARD SACKETT, Cromer, General Shop Keeper Norwich Pet June 18 Ord June 18

WILLIAMS, ARTHUR JOHN, Swansea, Tailor Swansea Pet June 15 Ord June 15

WILLIAMS, DAVID, Morriston, Ironmonger Swansea Pet Pet June 19 Ord June 19

WILTSHIRE, FREDERICK WILLIAM, Earl's Court, Financial Agent High Court Pet May 28 Ord June 17

FIRST MEETINGS.

CHILDS, GEORGE, Ventnor, Posting Master June 29 at 4 Globe Hotel, High st, Ventnor, I W

CHISLETT, HUBERT WARE, and ARTHUR WELLESLEY NOYES LEWIS, Poole, Yacht Builders June 28 at 12 Antelope Hotel, Poole

CURITT, ROBERT WILLIAM, Shoreditch, Draper June 28 at 2.30 Bankruptcy bldgs, Carey st

DANBY, AARON, Leeds, Joiner July 1 at 11 Off Rec, 22, Park row, Leeds

DAVIES, CAROLINE, Monmouthshire, Grocer June 28 at 3 Off Rec, Merthyr Tydfil

DEMPSTER, GILBERT, Hebburn, Grocer July 3 at 11.30 Off Rec, Pink lane, Newcastle on Tyne

EYRE, WILLIAM JOHN, and ELIZABETH COLLINS, Liverpool, West Indian Merchants July 3 at 2 Off Rec, 35, Victoria st, Liverpool

FOXLEY, THOMAS, Burton on Trent, Confectioner June 28 at 12 Off Rec, St James's chmbrs, Derby

GREGORY, RICHARD, Swansea, Tinplate Boxmaker June 28 at 2.30 Off Rec, 31, Alexandra rd, Swansea

GIBSON, CHARLES EDWARD, Scarborough, Grocer June 28 at 12.30 Off Rec, 74, Newborough st, Scarborough

GIBSON, ROBERT, Rochdale, Loom Jobber June 28 at 11.30 Townhall, Rochdale

GRINWOOD, BENJAMIN THOMAS, West Hartlepool, Tailor June 28 at 3 Off Rec, 25, John st, Sunderland

HAWLEY, ARTHUR WILLIAM, Malton, Flour Dealer June 28 at 11.30 Off Rec, 74, Newborough street, Scarborough

HOLMES, ALLEN, Ashton under Lyne, Builder June 28 at 3 Manchester

HOWE, THOMAS, Milton Keynes, Farmer June 28 at 12 Off Rec, 1a, St Paul's square, Bedford

HUGHES, THOMAS, Johnstone, Ruabon, Builder June 28 at 2.30 Crypt chmbrs, Eastgate row, Chester

JOHNSTONE, JOHN, Southwaite, Cumb, Farmer June 1 at 12 29, Lowther st, Carlisle

JONES, JOHN, Llanaelhaiarn, Woollen Manufacturer June 28 at 11.30 Crown Hotel, Pwellheli

JONES, WILLIAM, Swansea, Builder June 28 at 12 Off Rec, 31, Alexandra rd, Swansea

LOGAN, ELLEN SOPHIA MARGARET, Birmingham, Restaurateur July 2 at 11 23, Colmore row, Birmingham

MACDONALD, DUNCAN, Merthyr Tydfil, Draper June 28 at 12 Off Rec, Merthyr Tydfil

MAYBERRY, WILLIAM, Usk, Mon, Auctioneer June 28 at 12 Off Rec, Gloucester Bank chmbrs, Newport, Mon

O'BRIEN, WILLIAM, Russell sq July 2 at 12 Bankruptcy bldgs, Carey st

OSBOURNE, ELAM, Kingston upon Hull, Watchmaker June 29 at 11 Off Rec, Trinity House lane, Hull

PAYNE, JOHN BELLAMY, Somersetshire, Lace Manufacturer June 29 at 2 Off Rec, 5b, Hammet st, Taunton

PHILLIPS, WILLIAM, Port Talbot, Glam, Watchmaker June 29 at 11.30 Off Rec, 31, Alexandra rd, Swansea

REEVES, GEORGE THOMAS, Hastings, Broker July 1 at 12 Young & Son, Bank bldgs, Hastings

TESSEYMAN, SAMUEL, Leeds, Butcher's Assistant June 28 at 3 Off Rec, Bank chmbrs, Batley

TUFF, EDWARD, Lower Hardres, Farmer July 5 at 9 Off Rec, 73, Castle st, Canterbury

VOYCE, THOMAS RICHARDS, Birmingham, Fancy Goods Dealer July 3 at 11 23, Colmore row Birmingham

WALL, MICHAEL, Knottingley, Yorks, Sailmaker June 28 at 11 Off Rec, 6, Bond terrace, Wakefield

WOOLGAR, CHARLES, Steyning, Sussex, Wheelwright July 2 at 2.45 Auctioneer, Steyning

ADJUDICATIONS.

AITKEN, WILLIAM, Chorlton on Medlock, Clerk Manchester Pet June 19 Ord June 19

BALDWIN, JOSEPH, Over, Glos, Cattle Dealer Gloucester Pet June 19 Ord June 19

CHURCH, ANNIE DEVONALD, Bath, Lodging house Keeper Bath Pet June 19 Ord June 19

COHEN, HARRIS, Whitechapel, Draper High Court Pet May 23 Ord June 17

COLLARD, HENRY THOMAS, Burgess Hill, Painter Brighton Pet June 19

COOKE, DAVID FREDERICK, sen, Coleman st, Builder High Court Pet June 17 Ord March 19

DANBY, AARON, Leeds, Joiner Leeds Pet June 15 Ord June 15

FLETCHER, CHARLES, Nottingham, Chemist Nottingham Pet June 19 Ord June 19

FORD, FRANK ROBERT, Longton, Commercial Traveller Stoke upon Trent Pet June 19 Ord June 19

GAUNT, HERBERT, Leeds, Coal Dealer Leeds Pet June 17 Ord June 17

GRICE, ALFRED GEORGE, 8th Shields, Cartman Newcastle on Tyne Pet June 18 Ord June 18

GRINWOOD, BENJAMIN THOMAS, West Hartlepool, Tailor Sunderladd Pet June 6 Ord June 19

GURNEY, JAMES, Chalfont St Giles, Auctioneer Aylesbury Pet March 15 Ord June 17

HANBURY, JOHN, Aberavon Neath Pet June 17 Ord June 17

HARBOTTLE, THOMAS BENFIELD, Longridge rd High Court Pet June 18 Ord June 18

HOLLINGSWORTH, WALTER, Rotherham, Innkeeper Sheffield Pet June 18 Ord June 19

HOLMES, ALLEN, Ashton under Lyne, Builder Stalybridge Pet June 17 Ord June 19

HUME, ALFRED, Lowestoft, Smackmaster Gt Yarmouth Pet June 17 Ord June 17

HUTCHINSON, CHARLES, Nottingham, Grocer Nottingham Pet June 17 Ord June 17

JONES, WILLIAM TAYLOR, Margate, Schoolmaster Canterbury Pet May 31 Ord June 17

JOY, GEORGE, Weymouth, Coal Merchant Dorchester Pet May 30 Ord June 19

LISTER, RICHARD NICHOLSON, Bradford, Clerk Bradford Pet June 18 Ord June 18

LONG, ROBERT, Barrow in Furness, Upholsterer Ulverston Pet Nov 21 Ord June 17

MAYBERRY, WILLIAM, Usk, Hotel Keeper Newport Mon Pet June 8 Ord June 19

PARKER, WILLIAM HENRY, Plymouth, Saddler Plymouth Pet June 18 Ord June 18

POOLE, ELLEN, Southwark, widow High Court Pet Jan 23 Ord June 12

PRICE, JOHN MORGAN, Abergavenny, Boot Maker Tredegar Pet June 19 Ord June 19

SMITH, RICHARD, JOSEPH SMITH, GEORGE HARRY HARDY, JAMES DURRANT ALEXANDER, and GEORGE HARRY LOWE, Anstey, Boot Manufacturers Leicester Pet June 18 Ord June 18

STEVEN, FREDERICK, Barton, Ches, Farmer Chester Pet May 27 Ord June 18

THEASBY, JOHN, Stockport, Baker Stockport Pet June 18 Ord June 18

TOMES, CHARLES WARWICK, Eastbourne, Architect Eastbourne Pet June 11 Ord June 17

TUFF, EDWARD, Hardres, Farmer Canterbury Pet June 17 Ord June 17

VARLEY, WILLIAM, Nelson, Greengrocer Burnley Pet June 17 Ord June 17

VERNON, COURTNEY ROBERT PERCY, Stanwick, Nurseryman Northampton Pet Sept 14 Ord June 19

WHITE, EDWARD SACKETT, Cromer, General-shop Keeper Norwich Pet June 18 Ord June 18

WILLIAMS, ARTHUR JOHN, Swansea, Tailor Swansea Pet June 15 Ord June 17

WILLIAMS, DAVID, Morriston, Glam, Ironmonger Swansea Pet June 19 Ord June 19

NOTE.—The Order of Adjudication in the above matter is made on the Annulment of the Composition which was approved by the Court on the 10th January, 1894.

HARRIS, CHARLES, Slough, Butcher Windsor Pet May 25 Ord June 18

JEFFREYS, EVANS, Ruabon, Wheelwright Wrexham Pet June 14 Ord June 14

MITCHELL, WILLIAM ERNEST, West Bromwich, Publican West Bromwich Pet June 18 Ord June 18

WATERHOUSE, JOHN ALFRED, Petersham, Gent Wandsworth Pet Feb 27 Ord June 19

London Gazette.—TUESDAY, June 25.

RECEIVING ORDERS.

ALLEN, SAMUEL WALTER, Lowestoft, Bootmaker Gt Yarmouth Pet June 22 Ord June 22

ANDERSON, JOHN, Birmingham, Estate Agent Birmingham Pet June 7 Ord June 20

AVISS, ROBERT, Putney Bridge rd, Builder Wandsworth Pet June 21 Ord June 21

BARNBY, FRANK ARCHIBALD, Edgbaston, Toy Dealer Birmingham Pet May 9 Ord June 17

BISHOP, JOHN JAMES, Birmingham, Stockbroker Birmingham Pet June 7 Ord June 21

BROWNE, RICHARD HOPPIN, Harberton, Butcher Plymouth Pet June 20 Ord June 20

CLOWES, GEORGE FREDERICK, Birmingham, Boot Dealer Birmingham Pet June 22 Ord June 22

DEAR, THOMAS OLDACRES, Alton, Solicitor Winchester Pet May 11 Ord June 21

DEVELIN, THOMAS, Brighton, Traveller Brighton Pet June 21 Ord June 21

DRURY, EDWIN, Seven Sisters rd, Tailor High Court Pet May 27 Ord June 21

EDWARDS, JOSEPH MANSEL, Pontypridd, Commission Agent Pontypridd Pet June 21 Ord June 21

FARROW, BENJAMIN, Sustead, Norfolk, Farmer Norwich Pet June 21 Ord June 21

FAVILL, GEORGE WILLIAM, Market Rasen, Auctioneer Lincoln Pet June 22 Ord June 22

FERRIDAY, HENSHALL, Chancery lane, Solicitor High Court Pet Jan 30 Ord June 21

GOSLING, JONAS, Letheringsett, Farmer Norwich Pet June 21 Orh June 21

GOUGH, WILLIAM, Walsall, Walsall Pet June 21 Ord June 21

GROOM, GEORGE, Burnley, Fruiterer Burnley Pet June 22 Ord June 22

HESLAM, CLEMENTINE MARIE JOSEPHINE, Southsea, Hosier Portsmouth Pet June 21 Ord June 21

HILL, FREDERICK, Tobacconist High Court Pet May 31 Ord June 21

HOPKINS, JOHN, Gorseinon, Tailor Swansea Pet June 22 Ord June 22

HUBNER, ARTHUR MANARD, Bloomsbury, Music Hall Artist High Court Pet June 20 Ord June 20

HUGHES, JOHN EDWARD, Llangollen, Tanner Wrexham Pet June 8 Ord June 20

ICHENHAUSER, JULIUS, Broad st, Merchant High Court Pet May 8 Ord June 21

JONES, WILLIAM GEORGE, Cheptow, Contractor Newport, Mon Pet June 21 Ord June 21

LANCASHIRE RAISING CO, THE, Manchester Manchester Pet June 17 Ord June 22

PARTRIDGE, BENJAMIN, Wednesbury, Labourer Walsall Pet June 21 Ord June 21

RIX-WELLS, GEORGE, Gayton, Gent King's Lynn Pet June 19 Ord June 19

ROGERS, THOMAS, Cardiff Cardiff Pet June 7 Ord June 18

SCRASE, ROSE MARIA, Torquay, Stationer Exeter Pet June 18 Ord June 18

SCRIVENS, HARRY, Cheltenham, Market Gardener Cheltenham Pet June 20 Ord June 20

SHENNAN, EDWARD WATSON, Eastbourne, Stationer Lewes Pet June 22 Ord June 22

SHIRES, CHARLES JAMES, Manchester, Greycloth Salesman Manchester Pet June 22 Ord June 22

SILLS, EMMA, Cab Proprietress High Court Pet May 31 Ord June 20

SMITH, HARRY, Fulham, Builder High Court Pet May 22 Ord June 20

STONE, FREDERICK, Stradbroke, Farmer Ipswich Pet June 20 Ord June 20

TIGHE, WILLIAM JOSEPH, North Shields, Hatter Newcastle on Tyne Pet May 17 Ord June 20

TOBINS, JOSEPH, Mile End rd, Jeweller High Court Pet May 31 Ord June 20

WHITFIELD, MARY, Huddersfield, Music Seller Huddersfield Pet June 20 Ord June 20

WORSEY, ERNEST, Birmingham, Licensed Victualler Birmingham Pet June 19 Ord June 19

The following amended notice is substituted for that published in the London Gazette of June 7:—

BROTHERTON, JOHN, Wednesbury, Greengrocer Walsall Pet May 31 Ord May 31

The following amended notice is substituted for that published in the London Gazette of June 14:—

EVANS, ISAAC, Birmingham, Leather Worker Birmingham Pet May 14 Ord June 12

FIRST MEETINGS.

AITKEN, WILLIAM, Manchester, Clerk July 2 at 2.30 Ogden's Chmbrs, Bridge st, Manchester

BALDWIN, JOSEPH, Over, Cattle Dealer July 2 at 3 Off Rec, 15, King st, Gloucester

BERESFORD, RALPH THOMAS, Sheffield, Engineer July 4 at 3 Off Rec, Figtree lane, Sheffield

CALDER, JOHN, Pontypridd, Draper July 4 at 12 Off Rec, Merthyr Tydfil

COATES, JOSEPH, Middlesborough, Contractor July 3 at 3 Off Rec, 8, Albert rd, Middlesborough

ELLIOTT, CHARLES, and WILLIAM HOWARD, Burslem, Clothiers July 4 at 12.15 Off Rec, Ogden's chmbrs, Manchester

ELLIOTT, JOSEPH N, and JOHN HYNE, Enfield, Contractors July 2 at 3 Off Rec, 95, Temple chambers, Temple avenue, E C

EVANS, ISAAC, Birmingham, Leather Worker July 4 at 11 23, Colmore row, Birmingham

FOGWILL, HARRY, and GURNEY HARDY BAKER, Wolverhampton, Hosiers July 2 at 3 Off Rec, Wolverhampton

GAUNT, HERBERT, Leeds, Coal Dealer July 3 at 12 Off Rec, Park row, Leeds

GOODALL, E W, Burslem, Dress Maker July 4 at 11.15 Off Rec, Ogden's chmbrs, Manchester

GRICE, ALFRED GEORGE, South Shields, Cartman July 8 at 11.30 Off Rec, Pink lane, Newcastle on Tyne

HAGUE, ERNEST, Leeds, Joiner July 3 at 11 Off Rec, 22, Park row, Leeds

HARRIS, CHARLES, Slough, Butcher July 4 at 12 Crown Hotel, Slough

HUTCHINSON, CHARLES, Nottingham, Grocer July 3 at 12 Off Rec, St Peter's Church walk, Nottingham

JEFFREYS, EVAN, Ruabon, Wheelwright July 5 at 11.30 Priory, Wrexham

JONES, TOM REES, Tonypandy, Tailor July 5 at 12 Off Rec, Merthyr Tydfil

KILLICK, WILLIAM, Appledore, Miller July 8 at 12 Young & Son, Bank bldgs, Hastings

LANE, WILLIAM, Nottingham, Printer July 2 at 12 Off Rec, St Peter's Church walk, Nottingham

LEE, GEORGE, Branksome, Tranter July 2 at 12.30 Off Rec, Salisbury

LEYSER, RICHARD NICHOLSON, Bradford, Clerk July 3 at 11 Off Rec, 31, Manor row, Bradford

LOUGHER, DAVID LEWIS, Cardiff, Traveller July 4 at 12 Off Rec, 29, Queen st, Cardiff

MADDERSON, JOHN, Durham, Farmer July 3 at 3 Off Rec, 8, Albert rd, Middlesborough

MILES, ELIZABETH, Aberdare, Butcher July 3 at 2 Off Rec, Merthyr Tydfil

MOORE, ELI, Bournemouth, Laundryman July 2 at 1 Off Rec, Salisbury

MOULSON, WILLIAM EDWARD, Sheffield, Hairdresser July 4 at 3.30 Off Rec, Figtree lane, Sheffield

OWEN, GRIFFITH, Brynkir, Grocer July 3 at 11.30 Police Court, Portmadoc

PARKER, WILLIAM HENRY, Plymouth, Saddler July 4 at 11 10, Athenæum trrce, Plymouth

PEMBERTON, WILLIAM PULSFORD, Overton, Publican July 5 at 12 Priory, Wrexham

POTTS, WILLIAM ARTHUR, Blyth, Auctioneer July 3 at 3 Off Rec, 24, Railway approach, London Bridge, S E

PROUD, JOSEPH, Grocer July 2 at 4 Off Rec, 25, John st, Sunderland

RAYMOND, WILLIAM, Maesteg, Glam, Licensed Victualler July 4 at 11 Off Rec, 29, Queen st, Cardiff

RIDING, WILLIAM, Ormskirk, Builder July 3 at 12 Off Rec, 35, Victoria st, Liverpool

SCRASE, ROSE MARIA, Torquay, Stationer July 2 at 11 Off Rec, 13, Bedford circus, Exeter

SILLS, EMMA, Notting Hill, Cab Proprietress July 3 at 12 Bankruptcy bldgs, Carey st

SMITH, RICHARD, JOSEPH SMITH, GEORGE HARRY HARDY, JAMES DURRANT ALEXANDER, GEORGE HARRY LOWE, and FREDERICK WAIN, Anstey, Leicester, Boot Manufacturers July 3 at 12.30 Off Rec, 1, Berridge st, Leicester

SMITH, SAMUEL, Nottingham, Livery Stable Keeper July 2 at 11 Off Rec, St Peter's Church walk, Nottingham

SPEARE, WALTER HENRY, Cardiff, Baker July 4 at 11.30 Off Rec, 29, Queen st, Cardiff

THOMAS, DAVID, Deptford, Builder July 2 at 12.30 24, Railway app, London Bridge, S E

TOMES, CHARLES WARWICK, Eastbourne, Architect July 9 at 3 Coles & Son, Seaside rd, Eastbourne

TURNER, WILLIAM HALES, New Bond st, Earthenware Manufacturer July 5 at 2.30 North Stafford Hotel, Stoke upon Trent

VARLEY, WILLIAM, Nelson, Greengrocer July 4 at 2.30 Exchange Hotel, Nicholas st, Burnley

WATERHOUSE, JOHN ALFRED, Petersham, Gent July 2 at 11.30 24, Railway app, London Bridge, S E

WELLS, WILLIAM, Earlswood, Gardener July 3 at 12.30 24, Railway app, London Bridge, S E

WHITFIELD MARY, Huddersfield, Music Seller July 4 at 3 Off Rec, 6, Queen st, Huddersfield

WILLIAMS, ARTHUR JOHN, Swansea, Tailor July 3 at 12 Off Rec, 31, Alexandra rd, Swansea

WINDUST, CHARLES, Borough, Journalist July 3 at 11 Bankruptcy bldgs, Carey st

ADJUDICATIONS.

ALLEN, SAMUEL WALTER, Lowestoft, Bootmaker Great Yarmouth Pet June 22 Ord June 22

BRIERLEY, HENRY JOSIAH, and JOHN WILLIAM BRIERLEY, and FRED BRIERLEY, Huddersfield, Dyers Huddersfield Pet May 24 Ord June 19

BROTHERTON, JOHN, Wednesbury, Greengrocer Walsall Pet May 31 Ord June 17

BROWNE, RICHARD HOPPIN, Harberton, Butcher Plymouth Pet June 20 Ord June 20

CALDER, JOHN, Pontypridd, Draper Pontypridd Pet May 24 Ord June 20

CLARK, HARRY High Court Pet April 30 Ord June 20

EDWARDS, JOSEPH MANSEL, Pontypridd, Commission Agent Pontypridd Pet June 20 Ord June 21

EVANS, ISAAC, Birmingham, Leather Worker Birmingham Pet May 14 Ord June 22

FARROW, BENJAMIN, Sustead, Farmer Norwich Pet June 21 Ord June 21

FAVILL, GEORGE WILLIAM, Market Rasen, Auctioneer Lincoln Pet June 21 Ord June 22

FILTNESS, STEPHEN WILLIAM, Swindon, Hardware Dealer Swindon Pet June 8 Ord June 20

GOODALL, E W, Burslem, Dressmaker Hanley Pet June 1 Ord June 18

GOSLING, JONAS, Letheringsett, Farmer Norwich Pet June 21 Ord June 21

GROOM, GEORGE, Burnley, Fruiterer Burnley Pet June 18 Ord June 22

HARTLEY, WILLIAM ROBERT, and THOMAS RICHARDSON, Liverpool, Auctioneers Liverpool Pet April 3 Ord June 21

HESLAM, CLEMENTINE MARIE JOSEPHINE, Southsea, Hosier Portsmouth Pet June 21 Ord June 21

HICKSON, WILLIAM, Blisworth, Sauce Manufacturer Northampton Pet May 24 Ord June 20

HOPKINS, JOHN, Gorseinon, Tailor Swansea Pet June 22 Ord June 22

HUBNER, ARTHUR MANARD, Bloomsbury, Music Hall Artist High Court Pet June 20 Ord June 20

JONES, MARY AGNES, Handsworth, Stationer Birmingham Pet May 4 Ord June 19

JONES, WILLIAM GEORGE, Chepstow, Contractor Newport, Mon Pet June 20 Ord June 21

LOGAN, ELLEN SOPHIA MARGARET, Birmingham, Restaurateur Birmingham Pet June 11 Ord June 15

MCKENNA, GEORGE FREDERICK NEILL, Wine Merchant High Court Pet May 9 Ord June 20

RIX-WELLS, GEORGE, Gayton, Gentleman King's Lynn Pet June 18 Ord June 19

ROADS, HARRY THEODORE, Woking, Bricklayer Guildford Pet June 15 Ord June 21

SANDERSON, R W B, Manchester, Broker Manchester Pet March 18 Ord June 22

SCRASE, ROSE MARIA, Torquay, Stationer Exeter Pet June 17 Ord June 18

SCRIVENS, HARRY, Cheltenham, Market Gardener Cheltenham Pet June 20 Ord June 20

SHIRES, CHARLES JAMES, Manchester Greycloth Salesman Manchester Pet June 22 Ord June 22

STONE, FREDERICK, Stradbroke, Farmer Ipswich Pet June 20 Ord June 20

WATKINS, WILLIAM RICHARD, Llanelly, Chemist Carmarthen Pet June 14 Ord June 22

WHITFIELD, MARY, Huddersfield, Music Seller Huddersfield Pet June 20 Ord June 20

WHYMARK, WILLIAM, Stoke Newington, Builder Edmonton Pet April 9 Ord June 20

WILKINSON, WILLIAM HENRY, Bradford, Cabinet Maker Bradford Pet May 29 Ord June 20

WOODWARD, CHARLES EDWARD, Clapton, Fruiterer High Court Pet April 29 Ord June 20

SALES OF ENSUING WEEK.

July 1 and 2.—Mr. WALTER F. PHYSICK (of the firm of Messrs. Physick & Lowe), at the Mart, E.C., at 2 o'clock, Freehold Ground-Rents (see advertisement, June 15, p. 4).

July 2.—Messrs. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER, Freehold and Leasehold Residences, and a Freehold Residential Property (see advertisements, June 8, p. 2).

July 3.—Messrs. EDWIN FOX & BOUSFIELD, at the Mart, E.C., at 2 o'clock, Freehold Ground-Rents (see advertisement, this week, p. 614).

July 3.—Messrs. FARRERBOTHER, ELLIS, CLARK, & Co., at the White Hart Hotel, Romford, Freehold Market Garden, Accommodation and Building Land (see advertisement, May 25, p. 3).

July 4.—Messrs. FARRERBOTHER, ELLIS, CLARK, & Co., at the Mart, E.C., at 2 o'clock, Freehold City Building, Shop, &c., Properties (see advertisements, May 25, p. 3; June 15, p. 4).

July 4.—Messrs. H. E. FOSTER & CRANFIELD, at the Mart, E.C., at 2 o'clock, Absolute and Contingent Reversions, Life Interest, 20 Policies of Assurance, Shares (see advertisements, this week, p. 4).

All letters intended for publication in the "Solicitors' Journal" must be authenticated by the name of the writer.

Where difficulty is experienced in procuring the Journal with regularity, it is requested that application be made direct to the Publisher.

Subscription, PAYABLE IN ADVANCE, *which includes Indexes, Digests, Statutes, and Postage*, 52s. WEEKLY REPORTER, *in wrapper*, 26s.; *by Post*, 28s. SOLICITORS' JOURNAL, 26s. 0d.; *by Post*, 28s. 0d. *Volumes bound at the office—cloth*, 2s. 9d., *half law calf*, 5s. 6d.

By EDWIN FOX & BOUSFIELD,
At the Auction Mart, on
WEDNESDAY, JULY 3, at TWO.

NOTTING-HILL.—Freehold Ground-rents of £153 per annum, arising from 34 houses and shops, Nos. 1 to 28, and 37 to 42, William-street, producing £926 18s. per annum.

Particulars of Messrs. GILLAUME & SONS, Solicitors, 9, Salisbury-square, Fleet-street, E.C.; and Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

EDWIN FOX & BOUSFIELD,
At the Auction Mart, on
WEDNESDAY, JULY 10, at TWO.

CITY OF LONDON.—Freehold, for development, comprising the premises, Nos. 18 and 19, London-wall, with a frontage 32ft., but widening to 50ft., extending to a depth of 65ft., and covering the superficial area of 2,670ft.; well lighted and adapted for erection of one spacious block of commercial buildings or two warehouses. The existing premises have been occupied as a fully-licensed hotel, and might still be profitably worked. Possession on completion.

Particulars of Messrs. H. J. and T. CHILD, Solicitors, 2, Paul's Bakehouse-court, Doctor's-commons, E.C.; G. DICKENSON BYFIELD, Esq., Solicitor, 32, Great St. Helen's, E.C.; and Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

By EDWIN FOX & BOUSFIELD,
At the Auction Mart, on
WEDNESDAY, JULY 10, at TWO.
By order of Trustees.

NEW BOND-STREET, No. 97, First-class Investment, equal to freehold, comprising the Business Premises, having a frontage of 24ft. and extending to the depth of 140ft., six storeys in height, with show rooms and commanding shop. Let on leases expiring Michaelmas, 1900, at low rents, amounting to £1,074 per annum. Held from the Corporation of the City of London for a term of 40 years, at nominal ground-rent of £11 10s. per annum, subject to a fine on renewal every 14 years of £80 10s.

Particulars of Messrs. EMANUEL & SIMMONDS, Solicitors, 36, Finsbury-circus, E.C.; and of Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

By EDWIN FOX & BOUSFIELD,
At the Auction Mart, on
WEDNESDAY, JULY 10, at TWO.

BOND STREET.—Corporation Leases.
No. 60, NEW BOND-STREET. Let till 1904 at £300 a year. Term 40 years from 1895, renewable for ever every 14 years. Fine £24 7s. 6d. Ground-rent £3 9s. 6d. per an.
No. 102, NEW BOND STREET. Let till 1920 at £182 a year, with reversion in 25 years to rack rents now amounting to £745 per annum; same term as above, fine £30 12s. 6d. Ground-rent £4 7s. 6d. per an.

Particulars of JAMES GIRDLESTONE, Esq., Solicitor, 59, Pall-mall; Messrs. GUSCOTTE, WADHAM, & BRADBURY, Solicitors, 19, Essex-street, Strand, W.C.; and of Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

By EDWIN FOX & BOUSFIELD,
At the Auction Mart, on
WEDNESDAY, JULY 10, at TWO o'clock.

REGENT-STREET, No. 202.—Crown Lease, Business Premises, opposite Conduit-street. Let on lease at the low rent of £775, in consideration of a large premium. Held for a term expiring July, 1919, at nominal ground-rent of £43 8s. 6d. per annum, with reversion on the expiry of existing underlease.

Particulars of Messrs. DOD, LONGSTAFFE, SON, & FENWICK, Solicitors, 16, Berners-street, W.; and Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

By EDWIN FOX & BOUSFIELD,
At the Auction Mart, on
WEDNESDAY, JULY 10, at TWO.
By order of the Mortgagee.

PALL MALL, No. 48.—Freehold Premises, opposite the Oxford and Cambridge Club, with possession for occupation or more profitable development of the site, which possesses a commanding frontage and extends to a considerable depth, covering a superficial area of 2,000ft., capable of producing a rent of £1,000 per annum.

Particulars of Messrs. NICKINSON, PRALL, & NICKINSON, Solicitors, 51, Chancery-lane; and Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

By EDWIN FOX & BOUSFIELD,
At the Auction Mart, on
WEDNESDAY, JULY 10, at TWO.

PALL-MALL, No. 49.—Freehold Estate, forming the site of the range of premises with back entrance in Rose and Crown-yard, a frontage of 37ft. and extending to a depth of 104ft., total superficial area 3,700ft.; adapted for the erection of a pile of buildings for professional, commercial, or residential purposes. Possession on completion.

Particulars of EDWARD P. DAVIS, Esq., Solicitor, 57, New Broad-street, E.C.; and Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

STOKE NEWINGTON.
Close to Clissold-park, and within easy distance of stations on the North London and Great Eastern Railways and services of omnibuses and trams to the City and West End.

MR. HENRY SCRUTON will OFFER for SALE by AUCTION, at the MART, Tokenhouse-yard, E.C., on MONDAY, JULY 8th, at TWO o'clock precisely, the following LEASEHOLD RESIDENCES, all let to desirable tenants at moderate rentals:—

Lot.	Premises.	Lease.	Ground-rent.	Rack-rent.
1.	15, Albion-grove..	55 years unexpired at Midsummer, 1895.	£ 6	£ 36
2.	17, Do. ...		6	36
3.	19, Do. ...		6	36
4.	24, Do. ...		4	30
	26, Do. ...			30
			22	168

Particulars of Messrs. Clarke, Rawlins, & Co., Solicitors, 66, Gresham House, Old Broad-street, E.C.; and of the Auctioneer, Dacre House, Arundel-street, Strand, W.C.

In the High Court of Justice, Chancery Division.—Re Earl Cairns, deceased.—An undivided interest in the sum of £927 14s. 7d., being balance of income accrued to the late Earl Cairns, deceased, during his lifetime under the will of the Right Hon. Hugh M'Calmont, former Earl Cairns. A large portion of the sum due to the said deceased has been paid from previous surpluses, and the balance now for sale will be paid as surpluses arise.

MESSRS. DOWSETT, KNIGHT, & Co. are instructed to OFFER for SALE, by AUCTION, at the MART, Tokenhouse-yard, E.C., the above INVESTMENT, on WEDNESDAY, JULY 10, at TWO.

Particulars and conditions of sale may be had of Messrs Lumley & Lumley, 37, Conduit-street, W., and 15, Old Jewry-chambers, E.C.; and of the Auctioneers, 3, Lincoln's inn-fields.

SALE DAYS FOR THE YEAR 1895.

MESSRS. FAREBROTHER, ELLIS, CLARK, & CO. beg to announce that the following days have been fixed for their SALES during the year 1895, to be held at the Auction Mart, Tokenhouse-yard, near the Bank of England, E.C.:—

Thurs., July 11	Thurs., Aug. 29	Thurs., Nov. 14
Thurs., July 18	Thurs., Sept. 12	Thurs., Nov. 28
Thurs., July 25	Thurs., Sept. 26	Thurs., Dec. 5
Thurs., Aug. 1	Thurs., Oct. 10	Thurs., Dec. 12
Thurs., Aug. 15	Thurs., Oct. 24	

Other appointments for immediate Sales will also be arranged.

Messrs. Farebrother Ellis, Clark, & Co. publish in the advertisement columns of "The Times" every Saturday a list of their forthcoming Sales by Auction. They also issue from time to time schedules of properties to be let or sold, comprising landed and residential estates, farms, freehold and leasehold houses, City offices and warehouses, ground-rents, and investments generally, which will be forwarded free of charge on application.—No. 29, Fleet-street, Temple-bar, and 18, Old Broad-street, E.C.

MESSRS. STIMSON & SONS,
Auctioneers, Surveyors, and Valuers,
8, MOORGATE STREET, BANK, E.C.,
AND
2, NEW KENT ROAD, S.E.
(Opposite the Elephant and Castle).

AUCTION SALES are held at the Mart, Tokenhouse-yard, City, on the second and last Thursdays in each month and on other days as occasion may require.

STIMSON & SONS undertake SALES and LETTINGS by PRIVATE TREATY, Valuations, Surveys, Negotiations of Mortgages, Receiverships in Chancery, Sales by Auction of Furniture and Stock, Collection of Rents, &c. Separate printed Lists of House Property, Ground-Rents for Sale, and Houses, &c., to be Let, are issued on the 1st of each month, and can be had gratis on application or free by post for two stamps. No charge for insertion. Telegraphic address, "Servabo. London."

AUCTION SALES.

MESSRS. FIELD & SONS' AUCTIONS take place MONTHLY, at the MART, and include every description of House Property. Printed terms can be had on application at their Offices. Messrs. Field & Sons undertake surveys of all kinds, and give special attention to Rating and Compensation Claims. Offices, 54, Borough High-street, and 52, Chancery-lane, W.C.

MESSRS. H. GROGAN & CO., 101, Park-street, Grosvenor-square, beg to call the attention of intending Purchasers to the many attractive West-end Houses which they have for Sale. Particulars on application. Surveys and Valuations attended to.

TO LET, Chambers in New-square (together or separately), occupied while at the Bar by Lord Langdale, Lord Selborne, Mr. Justice North, and Lord Justice Rigby; 7 rooms, lavatory, and private staircase, electric light; well furnished with bookcases; suitable for Barristers or Solicitors.—Apply to LONSDOWNE, STEVENS, & POWELL, 7, Lincoln's-inn-fields.

FOUR and FOUR-AND-A-HALF PER CENT. DEBENTURES.

NATIONAL MORTGAGE and AGENCY COMPANY of NEW ZEALAND (Limited).

Chairman—H. R. GRENFELL, Esq.

Subscribed Capital, £1,000,000, in 100,000 shares of £10 each
Paid-up, £150,000. Further Called, £50,000.

The Company RECEIVES MONEY on Debenture at 4 per cent. for three or four years, and 4½ per cent. for five or seven years, payable half-yearly by Coupons attached to the Bonds.

By the Articles of Association the issue of Debentures is restricted to the amount of the uncalled capital.

Prospectuses and full information may be obtained from the Manager, 8, Great Winchester-street, London.

THE REVERSIONARY INTEREST SOCIETY,
LIMITED
(ESTABLISHED 1823),

Purchase Reversionary Interests in Real and Personal Property, and *Life* Interests, and Life Policies, and Advance Money upon these Securities.—17, King's Arms-yard, Coleman-street, E.C.

REVERSIONARY and LIFE INTERESTS in LANDED or FUNDED PROPERTY or other Securities and Annuities PURCHASED, or Loans or Annuities thereon granted, by the EQUITABLE REVERSIONARY INTEREST SOCIETY (LIMITED), 10, Lancaster-place, Waterloo Bridge, Strand. Established 1835. Capital, £500,000. Interest on Loans may be capitalised.

C. H. CLAYTON, } Joint
F. H. CLAYTON, } Secretaries.

PHŒNIX FIRE OFFICE, 19, LOMBARD-STREET, and 57, CHARING-CROSS, LONDON.
Established 1782.

Lowest Current Rates.
Liberal and Prompt Settlements.
Assured free of all Liability.
Electric Lighting Rules supplied.

W. C. MACDONALD, } Joint
F. B. MACDONALD, } Secretaries.

Special Advantages to Private Insurers.

THE IMPERIAL INSURANCE COMPANY LIMITED. FIRE.
Established 1803.
1, Old Broad-street, E.C., and 22, Pall Mall, S.W.
Subscribed Capital, £1,200,000; Paid-up, £300,000.
Total Funds over £1,500,000.

E. COZENS SMITH,
General Manager.

ESTABLISHED 1851.

BIRKBECK BANK

Southampton-buildings, Chancery-lane, London.

TWO-AND-A-HALF per CENT. INTEREST allowed on DEPOSITS, repayable on demand.
TWO per CENT. on CURRENT ACCOUNTS, on the minimum monthly balances, when not drawn below £100.
STOCKS and SHARES purchased and sold.

SAVINGS DEPARTMENT.

For the encouragement of Thrift the Bank receives small sums on deposit, and allows Interest monthly on each completed £1.

BIRKBECK BUILDING SOCIETY.
HOW TO PURCHASE A HOUSE
FOR TWO GUINEAS PER MONTH.

BIRKBECK FREEHOLD LAND SOCIETY.
HOW TO PURCHASE A PLOT OF LAND
FOR FIVE SHILLINGS PER MONTH.

The BIRKBECK ALMANACK, with full particulars, post free. FRANCIS RAVENSCROFT, Manager.

EDE AND SON,

ROBE  MAKERS.

BY SPECIAL APPOINTMENT
To Her Majesty, the Lord Chancellor, the Whole of the Judicial Bench, Corporation of London, &c.

ROBES FOR QUEEN'S COUNSEL AND BARRISTERS.

SOLICITORS' GOWNS.

Law Wigs and Gowns for Registrars, Town Clerks, and Clerks of the Peace.

Corporation Robes, University and Clergy Gowns.

ESTABLISHED 1689.

94, CHANCERY LANE, LONDON.